

## Supervisors Organizational Meeting

January 7, 2008

Time: 7:30 PM

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

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

Visitors present: See attached.

Mr. May stated that the Supervisors held and Executive Session at 7:00 PM this evening, to discuss a personnel matter.

Mr. Kreider stated that he and Mr. May were sworn in earlier this evening.

### Elect Positions

Temporary Chairman Allan Herr opened the nominations for Chairman of the Board. Mr. Bauder nominated John May. Mr. Kreider seconded the motion. Mr. Kreider moved to close the nominations, seconded by Mr. Breneman. The motion carried 4-0 for John May Chairman of the Board of Supervisors for 2008. John May abstained.

Mr. Herr made a motion to elect L. Allen Kreider as Vice-Chairman. Mr. Breneman seconded the motion, which carried with a 4-0 vote. Mr. Kreider abstained.

Mr. May called for nomination for Secretary-Treasurer. Mr. Bauder made a motion to nominate Mr. Smith as Secretary-Treasurer, seconded by Mr. Breneman. The motion carried unanimously.

Mr. May stated the need to establish a Treasurers Bond. Mr. May made a motion to renew the Treasurer's Bond for 2008 in the amount of \$1,500,000. Mr. Herr seconded the motion, which carried unanimously.

### Supervisors Area of Responsibility

Mr. May went over the areas of responsibility. Mr. Bauder made a motion that the Area's of Responsibility stay the same as 2007. Mr. Herr seconded the motion, which carried unanimously. The Area's of Responsibility will be as listed for 2008.

Planning & Zoning - Richard Bauder and John May

Public Works - Allan Herr and L. Allen Kreider

Protection to Person & Property - Jay Breneman and Allan Herr

Fire and Emergency Services - Jay Breneman and John May

Parks and Recreation - Richard Bauder and L. Allen Kreider

### Appointments

Planning Commission – Mr. May stated there Mr. Miller will be leaving the MTPC and they have received three letters of interest for the position. Mr. Bauder made a motion to appoint Steven Shue to the Manor Township Planning Commission. Mr. Kreider seconded the motion. Mr. Bauder felt Mr. Shue has an interest in the Township and has been attending many meetings and has been very helpful to him in getting information. Mr. May stated that all three people applicants interested in serving on this Board are very qualified. He stated he was personally leaning toward Pam Shellenberger because she is a full time employee on the York

County Planning Commission and she is a resident of Manor Township. Mr. Breneman stated they are lucky to have three qualified people interested but he was also looking at Ms Shellenberger because of her experience. Mr. Bauder agreed that all three are qualified and Ms Miller comes to all our meetings and the County Planning Meetings. Mr. Bauder stated that planning people are not his favorite people because he feels the Lancaster County Planning Commission has not looked out for the best interest of Manor Township and they have approved some developments that are terrible. Mr. Bauder stated that he does not like when appointed officials try to tell elected officials what they should do and he is suspicious of appointed officials, noting the planning commission is appointed. He stated that he thinks elected officials work in the best interest of their citizens. Mr. May stated he does agree that the LCPC has not always done what he feels was best for the Township, but that does not effect the qualifications of the three candidates tonight. Mr. Bauder felt that because one candidate works on a planning commission, it does not make her any more qualified. Mr. Kreider stated we are fortunate to have three qualified people interested and he was favoring Ms Miller but he is comfortable with any of the three and he has seconded the motion for Steve Shue. Mr. May called the question for placing Steven Shue on the MTPC. The motion was denied by a 3 –2 vote. Mr. Bauder nominated Bonnie Miller to be appointed to the MTPC. The motion died for lack of a second. Mr. Bauder stated Ms Miller has taken a very big interest in our Township and has attended many meeting. Mr. Herr made a motion to appoint Pam Shellenberger to the MTPC because of her qualifications and background. Mr. Breneman seconded the motion. Mr. Kreider stated that he did speak to Ms. Shellenberger and he feels she is very qualified. Mr. Bauder stated he did go to visit Ms Shellenberger. The motion to appoint Ms Shellenberger was approved by a 5-0 vote. Mr. May thanked Mr. Shue and Ms Miller for their interest and hoped they will continue to be interested in serving on any Manor Township committee.

Zoning Hearing Board – Resolution #1-2008 Mr. Breneman made a motion to re-appoint Walter R. Schlemmer for a three-year term. Mr. Bauder seconded the motion, which carried unanimously, adopting Resolution #1-2008.

Park and Recreation Board – Mr. May stated there are two vacancies for five-year terms. He noted there are two very well qualified applicants. Mr. May stated this Board will be very active over the next year because they are now in the process of finishing the Park and Recreation Study showing the recreational needs of the Township for the future. Mr. May made a motion to appoint Kyle Ream to the Park and Recreation Board for a five-year term. Mr. Kreider seconded the motion, which carried unanimously. Mr., Breneman made a motion to appoint Courtney Barry to the Park and Recreation Board for a term of five years. Mr. Herr seconded the motion, which carried unanimously.

Waste and Recycling Committee – Mr. May stated there is a position available for this committee but there are no recommendations at this time. Mr. May requested anyone interested please contact the Township office.

Solicitor – Mr. May stated that this position has been held by Goodman & Kenneff in the past, but he is interested in looking around for different council but is not ready to name someone at this point. Mr. Kreider made a motion to appoint Goodman & Kenneff for the present time. Mr. Bauder seconded the motion. The motion carried unanimously.

Labor and Personnel Counsel – Mr. May stated this has been Ballard Spahr Andrews & Ingersoll. Mr. Breneman made a motion to appoint Ballard Spahr Andrews & Ingersoll for Labor and Personnel Counsel for 2008. Mr. Herr seconded the motion, which carried unanimously.

General Engineer – Mr. Bauder recommended that the Board appoint Rettew Engineers as the General Engineer for the Township. Mr. Bauder stated that Rettew Engineering does not charge a retainer and their fees are very comparable to Buchart Horn, which charges a \$1500 retainer fee. There was discussion on the fees and Mr. Breneman questioned if there would be a problem because we already use Rettew with our SALDO. Mr. Bauder stated he did not feel this is a problem because the work is different. Mr. Bauder also stated that Rettew agreed that they would not bring a client in if they were the engineers. Mr. Kreider stated that he liked the fact that Rettew would be accessible because they are located in Manor Township. Mr. Laudien stated that Rettew stated they would refrain from being the applicant in a SALDO and if they are, they will turn business to someone else. Mr. Bauder made a motion to appoint Rettew for the General Engineer for 2008. Mr. Kreider seconded the motion, which carried unanimously.

Subdivision Land Development Engineer – Mr. May stated this has been Rettew in the past. Mr. Herr made a motion to retain Rettew as the Subdivision Land Development Engineer. Mr. Breneman seconded the motion, which carried unanimously.

Storm Water Engineer – Mr. May stated in the past this has been Buchart Horn and Rettew. Mr. Bauder made a motion to re-appoint Buchart Horn and Rettew as the Storm Water Engineers for the Township. Mr. Kreider seconded the motion, which carried unanimously.

Traffic Engineer – Mr. May stated it has been Mark Henise in the past. Mr. Breneman made a motion to re-appoint Mark Henise as the Traffic Engineer. Mr. Herr seconded the motion, which carried unanimously.

Select Planning Engineer – Mr. May stated this has been Hanover in the past but Mr. Laudien stated we have never used them to his knowledge. Mr. Herr made a motion to retain Hanover as the Select Planning Engineer. Mr. Bauder seconded the motion, which carried unanimously.

Vacancy Board – Mr. Breneman made a motion to retain Donna Taylor for the Vacancy Board. Mr. May seconded the motion, which carried unanimously.

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

Assistant Manager – Mr. May made a motion to re-appoint Mr. William Laudien as the Assistant Manager for 2008. Mr. Breneman seconded the motion, which carried unanimously.

Road Foreman – Mr. Breneman made a motion to nominate Mark Harris as Road Foreman for 2008. Mr. Herr seconded the motion, which carried unanimously.

Zoning Officer – Mr. May made a motion to appoint Mr. Bruce Ott as the Zoning Officer for 2008. Mr. Kreider seconded the motion, which carried unanimously.

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

Chief of Police – Mr. Breneman made a motion to re-appoint Chief Todd Graeff as Chief for Manor Township. Mr. May seconded the motion, which carried unanimously.

Delegate to the State Convention – Mr. May made a motion to re-appoint Mr. Kreider as the Delegate to the State for 2008. Mr. Bauder seconded the motion, which carried 4-0 with Mr. L. Allen Kreider abstaining.

Resolution #2-2008 – Mr. Laudien stated this is a resolution authorizing the appointment of Hess & Hess, LLC, as the Certified Public Accountant to audit all funds of Manor Township for the fiscal year 2007 with compensation to be paid at \$12,225.00. Mr. Bauder made a

motion to adopt Resolution #2-2008. Mr. Kreider seconded the motion, which carried unanimously.

Traffic Commission – Mr. May made a motion to appoint Chief Todd Graeff, Jay Breneman and Mark Harris to serve on the Traffic Commission for 2008. Mr. Kreider seconded the motion, which carried 4-0. Mr. Breneman abstained.

Mr. May stated that this concludes the business of the Organizational Meeting. Mr. Herr made a motion to adjourn the meeting, seconded by Mr. Bauder. The motion carried unanimously. Meeting adjourned at 8:00 PM.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

## Manor Township Supervisors Meeting

January 7, 2008

8:00 PM

Chairman John May called the meeting to order and stated the pledge to the flag had been recited in the Organizational Meeting. He noted all five Supervisors present.

Minutes- Mr. Herr noted a correction to be made in the December 3, 2007 minutes in the budget discussion for the 2008 Budget. He stated the first action taken should have been a 5-0 vote and the portion of the discussion on the tractor and dump truck should have been a 4-0 vote where he abstained. Also a correction in the Supervisors Meeting Minutes dated December 7, 2007 changing member absent from Richard Kreider to Richard Bauder. Mr. Breneman made a motion to approve the December minutes with the noted corrections, seconded by Mr. Herr. The motion carried unanimously.

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

Financial Report – Mr. Breneman commended the staff and department heads for keeping expenses in line with the budget for 2007 and moved to approve the Financial Report as submitted. Mr. Herr seconded the motion, which carried unanimously.

Solicitors Report – Mr. Laudien stated there was no Solicitors report.

### Business from the Floor

Jim Huber 113 Shannon Drive, commended the Township Road Crew for excellent snow removal. Mr. Huber also expressed concerns that the leaf collection should have been continued because leaves were late this year and there are still a lot that were not collected. Mr. May noted that leaves were a problem this year and they did extend the season as it was but the roads department had to be prepared for ice and snow. He noted that the leaf compost site had been made available for residents to take their leaves there.

Galen Mull, 738 Walnut Hill Road, asked if there was any new information about repairing the bridge over Creek Road. Mr. Herr stated he has been checking into used bridges that Penn Dot has. He stated there are two available that might be comparable and he would like to talk to the County about replacing the bridge on Creek Road with one of those. He wants to get all the information and take it to the County to see if it might be possible.

### Old Business

Funk Property Amendment Petition – Mr. May explained that this is a text amendment addition to the Manor Township Zoning Ordinance, Section 441 – Nursing, Rest & Retirement Homes which would set the density at 6.5 independent living units per acre. Mr. Laudien stated the proposed text amendment, has been reviewed by the Township Solicitor and Zoning Officer and they have provided comments. Mr. Kreider stated he has a problem that the zoning ordinance does not address what personal care is and recommended that a definition of personal care be added to the zoning ordinance. After discussion, Mr. Kreider made a motion that the proposed text amendment be referred to the Township Solicitor for final drafting, including a definition of personal care. Mr. Breneman seconded the motion, which carried unanimously.

## New Business

Resolution # 3-2008 Meeting Dates – Mr. May read the resolution setting the meeting dates for Township meetings for the year 2008. Mr. Bauder made a motion to adopt Resolution #3-2008, setting the meeting dates. Mr. Herr seconded the motion, which carried unanimously. Mr. Kreider stated that each year our meeting dates are conflicting with the school board meetings and he would like to try to work something out to change that in the future. The Board agreed they would discuss it for next year. The motion carried unanimously.

Resolution # 4-2008 Police Pension – Mr. May stated this resolution states that the Board of Supervisors of Manor Township will continue the Police Pension Fund with no deductions from police salaries being required. Mr. Breneman made a motion to adopt Resolution # 4-2008, seconded by Mr. Herr. The motion carried unanimously.

Resolution # 5-2008 Bank Depositories – Mr. May stated this resolution sets the bank depositories as follows: Bank of Lancaster County – State Fund checking and saving, Sewer Fund checking and saving and Post Retirement Medical Fund, savings. Fulton Bank – checking accounts for General Fund, Capital Fund, Payroll Fund, Crossgates Sewer Fund, Street Light Fund, and Tax Account Fund. Fulton Bank also has savings accounts for Unemployment Fund and Deferred Revenue Fund. Mr. Bauder made a motion to adopt Resolution # 5-2008 with the listed bank depositories. Mr. Breneman seconded the motion. Mr. Kreider stated that the Bank of Lancaster County has dropped to a 3 star rating and wanted to make sure the Township is aware of that, but agreed with keeping the accounts there. Mr. May noted that Bank of Lancaster County will soon be changing to PNC Bank. The motion being moved and second carried unanimously.

Resolution # 6-2008 Sewage Enforcement - Mr. Laudien stated this resolution establishes the fee schedule and appoints David Lockard as the sewage enforcement officer for Manor Township, with Marvin Stoner as substitute. Mr. Bauder made a motion to adopt Resolution #6-2008, seconded by Mr. Herr. Mr. Breneman noted there was one item in the resolution that a cost was not listed. Mr. Laudien stated he will look into it. The motion carried unanimously.

Resolution # 7-2008 Fees for SALDO – Mr. Laudien stated this is a resolution outlining the fee schedule for the Subdivision and Land Development Ordinance. Mr. Bauder made a motion to adopt Resolution #7-2008 to establish the fees for the SALDO. Mr. May seconded the motion, which carried unanimously.

Resolution #8-2008 Township Fee Schedule - Mr. Laudien stated this resolution is to establish the fees for permits, reviews, documents and services, consistent with fees from 2007. Mr. Herr made a motion to adopt Resolution #8-2008 to establish Township fees. Mr. Breneman seconded the motion, which carried unanimously.

Resolution #9-2008 Managers salary – Mr. May read Resolution #9-2008 stated that the Board of Supervisors have set the salary for Township Manager at \$81,077.50 for 2008. The manager shall be entitled to benefits. Mr. Breneman made a motion to adopt Resolution #9-2008, seconded by Mr. Herr. The motion carried unanimously.

Resolution #10-2008 Budget Certification –Mr. Laudien stated that Resolution #10-2008 is for budget certification. Mr. Breneman made a motion to approve Resolution #10-2008 for certification of the 2008 budget for Manor Township. Mr. Bauder seconded the motion, which carried unanimously.

Mileage Rate for 2008 – Mr. May stated that Ryan Strohecker recommended mileage to be set at 50.5 cents per mile for reimbursement. Mr. Breneman noted that this is the IRS Federal Rate. Mr. Kreider made a motion to set the mileage reimbursement rate for Manor Township at 50.5 cents per mile for 2008. Mr. Herr seconded the motion, which carried unanimously.

Ordinance #1-2008 500 yr floodplain and PRD – Mr. May stated they have received recommendation from the MTPC, that the Board adopt the revision to delete the 500 year floodplain zone and to provide the Board of Supervisors the approval process in the PRD Ordinance section. Mr. May stated the solicitor has prepared the ordinance, which has been properly advertised. Mr. Kreider stated he was pleased that this is happening because he said he knows of one situation where the people had to comply with the 500-year floodplain and could not put in a small building to sell produce on their property. Mr. Kreider made a motion to adopt Ordinance #1-2008 amending the 500 yr floodplain zone. Mr. Breneman seconded the motion. Mr. Bauder questioned who is the approving authority and stated that he wanted it to be the Board of Supervisors. Mr. Laudien stated the ordinance reads that the jurisdiction is with the Manor Township Board of Supervisors administering the PRD. The motion carried unanimously.

Mr. Laudien noted an addition to the agenda for a briefing item. He stated that there is a planned project at 3000 Blue Rock Road, for the fire Company. He asked Bill Swiernik, with David Miller Associates, to address the overview of this project and noted the MTPC will be reviewing this at their next meeting. Mr. Swiernik stated he is representing the fire company and presented a plan explaining the site on the South side of Blue Rock Road along the Little Conestoga Creek. He stated they will utilize an existing driveway and build a structure that will be a sub-station for housing the fire company vehicles. He added that the property has on site sewer and water. Mr. Kreider asked if he could see the floodplain areas. Mr. Laudien stated that he will forward this information to the MTPC for review.

Mr. Bauder questioned the reimbursement of safety shoe allowance for the Manor Township Public Works employees. He noted it is presently a maximum of \$80.00 and he suggested it be increased at this time. After some discussion, Mr. Breneman made a motion to increase the reimbursement for safety shoes to \$150.00 for the public works employees. Mr. Bauder seconded the motion, which carried unanimously. Pat Weidinger, 2025 Manor Ridge Drive, stated he deals with this type of thing and in his opinion the \$150.00 reimbursement is a very reasonable amount. The motion carried unanimously.

SALDO George and Linda Syder Mr. May stated this is a final subdivision plan for George & Linda Syder, 216 Ironstone Ridge Road for a two-lot subdivision. Mr. Stan Jarmelenko, representing the Syders, presented the plans for the two-lot subdivision with a total of 2.1 acres. He noted lot one has an existing dwelling unit with 1.1 acres and lot two will be a single family residential lot at 9 tenths of an acre. He stated they are waiting for comments from the Conservation District but are going forward for approval of the waiver requests. Mr. Jarmelenko stated there is a problem with the driveway as a result of a past plan to relocate a bend in the road, where deeds were changed to meet that plan. Mr. Bauder asked if the plan is on the official map. Mr. Jarmelenko stated he does not think it is. Mr. Laudien stated Mr. Ott has provided a letter outlining the conditions and added that the matter of right of way does need to be resolved. He noted they are asking for conditional approval by the Board of Supervisors, that they meet the terms and conditions as outlined in the letter from Mr. Ott. Mr. May stated then the conditional approval will be conditioned upon the right of

way issue being resolved, the waiver for the storm water and the landscape plan and the waiver for the curb and sidewalk requirement. Mr. Laudien stated it would also include that the right of way would be taken from the centerline of the road. Mr. Laudien stated that the listed conditions would also satisfy the applicant. Mr. Kreider made a motion for conditional approval of the final subdivision plan for George & Linda Syder as the terms stated in the review letters from Mr. Ott, Zoning Officer for Manor Township and Rettew. Mr. Bauder seconded the motion, which carried unanimously.

**SALDO Deanne and Stephen Shuman** Mr. May stated that the MTPC recommended approval of this minor subdivision plan subject to the conditions as a result from the review by Rettew. The conditions that are listed in a letter dated November 27, 2007. Mr. Bill Sell, Light Heigel Associates, representing the Shuman's, went over the site and stated that a lot was taken off the farm two years ago where the Shuman's build a house. He noted comments from Rettew and the LCPC where all but two issues are addressed. He noted that those two issues are the secondary perk test for the two-acre lot needs to be done and the site distances need to be measured on the existing driveway. Mr. Herr made a motion for a conditional approval for the Shuman sub-division plan with the waivers and modifications and conditions as outlined in the review letter from Rettew. Mr. Breneman seconded the motion, which carried unanimously.

**SALDO Connie Schnetzka** Mr. Swiernik, DM/A, presented the updated plan for a proposal of a two-lot subdivision on the North side of Shultz Road. This is a 5.8 acres track of land and they are requesting two single-family dwelling lots. One would be 3.2 acres and one is 2.5 acres both with well and septic. He noted that the plan is a request for a conditional approval because there are issues which are pending on other actions tonight. There was reference to a review letter from Rettew listing conditions. Mr. Laudien questioned the LCPC conditions and Mr. Swiernik stated there were review conditions from Rettew also. Mr. Bauder made a motion to approve the subdivision for Schnetzka with a conditional approval as per the conditions listed in the review letters from Rettew and the recommendations from the LCPC. Mr. Breneman seconded the motion, which carried unanimously.

**Resolution #11-2008 Schnetzka Planning Module** Mr. May made a motion to adopt Resolution #11-2008 Planning Module for Connie Schnetzka authorizing Mr. Smith to sign the planning module. Mr. Kreider seconded the motion, which carried unanimously.

**Letter of Credit Reduction Request Manor Oaks Lot 146** Mr. Laudien stated Manor Oaks has made a request for a reduction in Letter of Credit # SB-909554-0001 from \$73,553.18 to \$50,303.18. This would be a reduction of \$23,250.00, which would leave in excess of the 15% requirement. Mr. Kreider made a motion to approve the reduction in Letter of Credit #SB-909554-0001 for Manor Oaks, in the amount of \$23,250.00 leaving a balance of \$50,303.18. Mr. Herr seconded the motion, which carried unanimously.

**Letter of Credit Reduction Request Manor Oaks Section 3** Mr. May noted a request for the reduction of K Bank Letter of Credit No. 669 for Cornerstone @ Manor Oaks project in the amount of \$9,070.00. This reduction would leave a balance of \$84,250.80. Mr. Laudien stated that when reviewing the company document, they have installed \$4000 in streetlights and \$750 in street signs. This would be a total of \$4,750 and there is also an issue about a sewer bond that was held by mistake that he stated he is not able to confirm at this time. . Mr. Laudien did note that the request of \$9,070 for reduction is a lesser amount than the amount that they have indicated, however he would recommend that they only refund the \$4750 for the work that has been inspected. Mr. May made a motion to reduce the Letter of Credit #669

by \$4750.00, leaving a balance of \$88,570.80 seconded by Mr. Breneman. The motion carried unanimously.

Act 14 Notification Star Rock Farms Mr. May stated this is an Act 14 Notification that Star Rock Dairy Inc. is submitting a NPDES renewal permit application to DEP for their existing dairy and steer operation located at 37 Chestnut Grove Road. Mr. May stated that the application states that they have a Comprehensive Plan but that they do not have a Regional Comprehensive Plan and he stated that he believes they must have one. Mr. Laudien stated he will make a note of that. Mr. Huber asked what this is in reference to. Mr. May stated it is the retention ponds used for manure storage but there is no expansion proposed and this is a five-year plan. Donna Bare, 107 Chestnut Grove Road, asked if this is renewed every five years. The Board stated yes.

Street Light Fund Review Mr. Strohecker stated he is requesting to take steps to bring the streetlight outstanding account balances down. He noted that some balances are small and some are people that have not paid over time, but it makes the reports longer than they need to be. Mr. Strohecker recommended three items to get the balances paid. 1) Write off any balance in the street light fund plus or minus of \$5.00 2) Invoice all remaining balances in January accompanied by a letter stating it is the last chance to pay before turned over to our attorney and 3) In March, turn over all remaining balances to our solicitor for final collection or lien. The Board agreed that Ryan should send out the final notice. Mr. Kreider made a motion that Mr. Strohecker proceed to collect outstanding balances for streetlights. Mr. Herr seconded the motion, which carried unanimously.

Fraud Policy - Mr. Strohecker stated this Fraud Policy is a result of the Enron fallout and problems that surfaced through events like that. He stated the auditors are requiring that the Township adopt this specific Fraud Policy and it will protect them as auditors also. Mr. May made a motion to adopt the Fraud Policy as presented and also requested that all five Supervisors sign the policy. Mr. Kreider seconded the motion, which carried unanimously.

Administrative Vehicle – Mr. Laudien stated this request is to purchase a Ford Escape. Mr. Strohecker stated this is listed under the Capital Fund and would be the purchase of a Ford Escape, four-wheel drive, for the Township Manager Barry Smith to use. Mr. Kreider asked what happened to the prior vehicle. Mr. Strohecker stated it was sold at the County auction. Mr. Herr made a motion to purchase the Ford Escape. Mr. Bauder seconded the motion, which carried unanimously. Mr. May stated that the price of the vehicle is \$16,144.00 and will be purchased from the State program. Bonnie Miller, 113 Bent Tree Drive, asked why the Township Manager gets a vehicle. Mr. May stated the manager has always had a vehicle to use for Township business, and this is replacing one that was sold.

Planning Commission Annual Report – Mr. May stated the Planning Commission Annual Report has been supplied for review and he noted that he appreciates all the work it takes to do this brief summary of the past year.

Payroll Period – Mr. Laudien stated that due to the date of this meeting and the setting of the manager's salary, the Board needs to clarify if the salary starts with the fiscal year or the payroll calendar year, and how it effects the payroll period for the new-year. He stated that for the Township, the payroll period began two weeks ago and ended this past Friday. The calendar year for 2008 began a week ago. After some discussion, the Board agreed to have the pay start with the payroll calendar year.

## Correspondence

### Administrative

PSATS 86<sup>th</sup> Annual State Convention recommending that Mr. Smith register the Supervisors and any necessary personnel that wants to attend.

APMM Winter Workshop Mr. Smith requests to attend.

Community Development Block Grant Committee notification that there is a position available for this committee. Mr. May asked Pam Shellenberger if she would fill the position and she agreed she would.

Government Finance Officers Association and Mr. Strohecker is requesting to attend.

The Municipalities Planning Code with this being available for any Supervisor that wants to attend.

Mr. Bauder made a motion to approve the first five requests and pay the necessary expenses. Mr. Breneman seconded the motion, which carried unanimously.

### Public Works

Capital Area Turf and Ornamental Winter School – Mr. Laudien stated that Mr. Dickert has requested that he and Mr. Funk be able to attend and he noted that attendance is necessary to keep the required certifications. Mr. Herr made a motion that Mr. Dickert and Mr. Funk attend the Winter School with the necessary expenses paid. Mr. May seconded the motion, which carried unanimously.

### Police Department

Child Safety Chief Graeff stated that he is requesting that Cpl. Strock attend a Child Passenger Safety Technician Certification Course. He stated this would allow him to conduct child safety checkpoints on car seats and seatbelts. This training would allow him to be certified.

Purchase Tasers Chief stated that as per being approved for \$10,000 in the budget, he is asking for \$10,211.70 to purchase 7 tasers with cameras and equipment and 13 holsters. Mr. Breneman asked why they are purchasing 13 holsters and only 7 tasers. Chief stated that the taser comes with a holster but we would need 13 more that each officer could have his own for his belt and then share the tasers.

Taser Training Chief Graeff requested that Tom Moser attend a Taser Training Course so that he would be able to train the other officers.

Purchase Printer/Copier Chief noted that as per budget, they are purchasing a Printer/Copier. The budgeted amount was \$7,000 and the new one is \$7,116.18 through the Co-Star Program, which would be half price and this purchase does not have to go out for bid.

Mr. May made a motion to approve the four requests from Chief Graeff as listed. Mr. Kreider seconded the motion. Bonnie Miller, 113 Bent Tree Drive, asked for an update on the computers for the officers. Chief Graeff stated that they do have approval for the grant, but they do not have the money yet. Being moved and seconded, the motion carried unanimously.

### Traffic Commission

Chief Graeff stated Traffic Commission was not held for the month of December.

### Police Report

Chief Graeff stated that his report has been submitted. He stated that total incidents for the year are 16,301. He explained that there were 351 traffic accidents and 1,445 traffic arrests. He also noted there were 287 criminal adult arrests and 62 juvenile arrests.

Donna Bare asked why there is not more police information from Manor Township in the newspaper. Mr. May stated there were two articles in the Sunday paper just this week. Chief Graeff stated they were submitting things and he does not know why the paper does not put more in. He will check into it.

### Road Foreman's Report

Mr. Harris stated that he has received a letter from Mr. Frank Barley, one of public works employees, and his intent is to retire as a full time employee as of Feb. 22, 2008. He has expressed an interest in staying on as a part time employee and Mr. Harris asked the Board to allow him to pursue a full time replacement. Mr. May asked why we would hire Mr. Barley back as a part time employee if we are replacing him with another full time employee. Mr. Harris stated that in 2007 he had to hire two part time employees to do road bank mowing, and since Mr. Barley is already trained in the road bank mowing, he would not have to hire two people, because Mr. Barley would be able to do that work and any other that is need because he is already trained. Mr. Harris noted he would like to hire someone before the retirement takes place so he would be trained and be prepared when Mr. Barley leaves. Mr. May stated that Mr. Harris could start the process for hiring and if he feels the need to advertise he may do so. The Board agreed. Mr. Harris stated that Mr. Barley has been an excellent employee.

Joan Matterness, 213 Sutherland Road, asked if the Township pays benefits for part time employees. Mr. Harris stated that part time employees do not receive any benefits.

Mr. Breneman noted that the Christmas tree recycling program is going great this year.

### Park & Grounds Maintenance Report

Mr. Dickert commented on the seminars for certification and that there are five employees in the public works department who have pesticide certifications and they are on a three-year renewal basis. The Board discussed the amount of credits that are needed and the need to stay certified. Mr. Dickert noted that the playground certification is different in that it is a test every three years to stay certified. Mr. Dickert stated that the cardboard recycling program has been increased to pick up three times a week at the collection sites. Mr. Dickert stated he did investigate the complaint about dog dirt being tossed into the woods edge wet lands. He stated they cleaned up 35 bags of dog dirt and he will be placing signs there for littering. Joan Matterness stated she will start looking for the person. Mr. Kreider stated he has noticed a lot of dog droppings littering the area where the barn is at Herr Park. Mr. Kreider asked Mr. Dickert to take a look at that. Mr. Dickert stated that area is school property and not Manor Township. Donna Bare, 107 Chestnut Grove Rd, stated that Columbia has an ordinance that states you must have a disposable bag with you if you are walking a dog or you can be fined.

### Assistant Managers Report

Mr. Laudien went over his report noting they have submitted a grant for just under \$20,000 to grade and pave the Blue Rock Boat Launch. He stated they are working with the Police on a 12-hour shifts schedule and they continue to work on street light issues.

Township Manager' Report

There was no Township Manager's Report

Building Permit Report

Mr. Kreider read the Building Permit Report. He stated there were 16 permits in the month of December and that brings the total for the year is 407. He compared it to a total of 320 in 2006.

There being no further business, Mr. Breneman made a motion to adjourn the meeting at 9:20 PM. Mr. Herr seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

Manor Township Supervisors Meeting

February 4, 2008

7:30 PM

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

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

Visitors present: See attached.

Minutes – Mr. Breneman made a motion to approve the minutes from the January 7<sup>th</sup> Organizational Meeting. Mr. Herr seconded the motion, which carried unanimously. Mr. Herr made a motion to approve the minutes from the January 7<sup>th</sup> Supervisors Meeting as drafted. Mr. Bauder seconded the motion. The motion carried unanimously.

Bills – Mr. Kreider made a motion to approve payment of the bills as presented. Mr. Breneman seconded the motion, which carried unanimously. Mr. Herr noted that settlement has been held for the purchase of the KL Smith property behind the maintenance building.

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

#### Solicitors Report

Mr. Smith stated there was no solicitors report.

#### Business From the Floor

Harold Barley, 728 Walnut Hill Road, asked the Supervisors if there was any progress on replacement of the bridge over Creek Road or if anyone at the County has been contacted. Mr. Herr stated he did look at two used bridges as he previously stated he would. The first one had a pier in the center and would not be suitable at the location and the second one was not worth moving. Mr. Smith stated he is in the process of trying to set up a meeting with the new County Commissioners to discuss the situation further.

Mike Long, 2192 West Ridge Drive and Janice Carpenter, 2189 West Ridge Drive, stated they did receive notice that the streetlight tax bills need to be paid and expressed their opinion that the job of assigning streetlight bills in the Township was not done correctly. He noted that he has talked to several people and found that there are properties that are within the 250 feet of a streetlight and do not get a bill. Mr. Long asked the Supervisors if that would make them eager to pay the streetlight bill they received and he asked them to comment on that. Mr. May stated that if he received a bill and knew of a situation where someone else did not and should, then he would pay his bill and then contact the Township about the problem. Mr. Kreider stated that he felt Mr. Long should have called the office or a Supervisor with the problem when he became aware of it. Mr. Long stated that the point he is making is that the job to assign streetlight bills was not done correctly. Mr. Bauder asked Mr. Long how many people he found that were within the 250 feet of a streetlight and were not getting billed. Mr. Long stated that he is aware of eight residents just in his area. Mr. Bauder stated that he does not have a streetlight but he paid the tax because he voted for the ordinance, so he makes up for one of those people. Mr. Bauder stated that he does feel the streetlight tax is unfair in other ways also because there are people within

the 250 feet of a streetlight and get billed, but they get no light at all on their property. Mr. Bauder asked Mr. Strohecker the percentage of residents that are billed and have not paid. Mr. Strohecker stated about 16% of the residents have not paid. Mr. Bauder stated he feels it is best to put the streetlight expense back into the general fund. Mr. Long stated he is just not happy to pay a tax that was handled so badly.

Donna Bare, 107 Chestnut Grove Road, noted that last month she had requested more police information be included in the police log portion of the newspaper. She thanked the Chief for the increase she has seen and noted that she feels better being aware of what is going on in neighborhoods. Mr. Breneman noted he feels this is a good thing because it helps people in neighborhoods stay aware and involved and look out for each other.

### Old Business

Stone Mill Property - Mr. Kreider expressed concerns with a property along Columbia Avenue stating it is an accident waiting to happen, and he would like to see something done before it becomes a problem. He noted that the old stone mill located at Stone Mill Road and RT 462 had gone through a fire a few years ago and was in the process of being restored. However it has been sitting for some time and not only is an eyesore but is a safety hazard. Mr. Smith stated that, the property is owned by Rob Ecklin and he has been in contact with him. Mr. Ecklin has indicated he is working on it but nothing seems to be getting accomplished. Mr. Smith stated that the Supervisors have the power to start a procedure, by using Section 200 of our Code on Health and Nuisances to send a notice to Mr. Ecklin. After some discussion, the Supervisors agreed that Mr. Smith send a formal notice to Mr. Ecklin and give him 30 days to respond. They stated that the preliminary notice would start a time line for when he will complete repairs and noted he will have to repair the structure or demolish it. Mr. Kreider noted that the structure is located in the flood zone and could only be repaired to the original size and if it were to be demolished, and then no new structure could be built.

Fire Company Consolidation – Mr. Breneman stated that the Regional Task Force for the fire services was organized. There was a meeting the end of January and the following officers were elected: Russell Guthrie - Chairman, Scott Haverstick - Vice-Chairman and Don McCann - Secretary. He noted they plan to meet the last Thursday of each month at the Township Maintenance Building on Blue Rock Road. There are 13 people on the committee at this time.

### New Business

SALDO – Millersville Fire Company Final Plan Mr. Bill Swiernik, DM/A presented the plan for the Millersville Fire Company. Mr. Smith noted a letter stating the recommendations. Mr. Swiernik explained that the property is located on the south side of Blue Rock Road, just west of the Little Conestoga Creek. This is a proposal to construct a new satellite fire station that would have an access from Blue Rock Road. He explained plans to upgrade the driveway, noting the permit has already been issued from Penn Dot. The property would have on lot sewer and water and a permit for the drain field has also been issued. There is an existing well that would be utilized. Mr. Swiernik stated primary use of the site would be storage of fire equipment and there would be some training for members. Parking will be provided for the training and they have discussed lighting and landscaping on the site. He noted there are two waivers that have been requested: 1) waiver request for the curbing that would run along both the front and internally and 2) waiver request for the sidewalks along the front of the property. Mr. Swiernik stated the PC did recommend approval of the plan and approval of the curbing modification.

There was also discussion on the sidewalks and they recommended that the sidewalks be deferred until a future time when the Township would require them to be installed. He also noted a conditional request to establish a 25' easement to be placed along the north bank of the Little Conestoga Creek for a future greenway access. Mr. Swiernik stated that there is a stone driveway coming off the driveway entrance that leads to the lower area along the creek. Mr. Swiernik stated what they are asking for tonight is consideration of the two moderations and action on the plan. Mr. Bauder asked where people would park if they wanted to use the greenway access or a park area. Mike Hite, 1015 Stone Manor Drive, stated when the Millersville Fire Company purchased this property, they asked a Township official if they were interested in having a park area on this land and they were told no. He noted several months later they were asked by another Township official if there was any chance that the Township could use some of the land for a park area and the Fire Company said yes. He noted that the Fire Company did ask for a response back from the Township that they are requesting to have a park area there, but to date they have not received anything. Mr. Hite stated the Fire Company is in agreement for the 25' easement for the greenway, however they do have a problem with sharing the portion of land that the fire company uses, and using the same driveway to that easement. He noted they do not want to schedule a training session and come to the facility and find the parking lot full of people using the greenway or park. He noted a problem has already occurred when clearing trees at the site. Within a week, someone had come and taken all the lumber that was cut, not just along the road but even 50' into the property. They had planned to sell some of the wood and other members were going to use some. Mr. Hite stated they are in agreement with the public using the property for a park area and a greenway area but they would like the fire company area to be restricted from the public and have their own private parking area. Mr. Kreider stated that he has had comments from the fire company that they would like the Township to maintain the flood plain and easement area and they would have to discuss that, but he would not want to hold up permits over this. Mr. Hite stated they are not asking the Township for a decision tonight on the maintenance of the property because this could hold up the plan. He also stated that he felt some of the problems are coming from Supervisors are having conversations with fire company members and neither has the entire story. Mr. Hite expressed concerns and suggested that they need to have a meeting with everyone and discuss this. Mr. Herr felt the first concern would be that the fire company maintains control over their operation, and in his past experience, putting signs up for private areas does not work with the public. After some discussion, Mr. Bauder complimented David Miller Associates for the good job they did on the sediment erosion plan. Mr. Bauder made a motion for conditional approval of the plan as depicted in the January 29<sup>th</sup> letter and grant the modification request of the requirement to provide concrete curbing along the access drive and grant that they differ the requirement to provide sidewalks until the Township deems them necessary and approval of the plan, conditioned upon the comments on land development and storm water comments that were in the letter, which includes the 25' easement to run along the north side of the Little Conestoga Creek that borders the property. Mr. Kreider seconded the motion, which carried unanimously.

Mr. Bauder commented on getting better sedimentation and erosion control during development. He noted he visited some sites in the last rain and found that Park Field Phase II was a mess but the storm water basin in Eagle Heights was working fine. He requested that our management and engineers discuss the possibility of altering our storm water management to include more control on sediment and erosion during construction. Mr. May agreed.

Enola Low Grade Rail Mr. May stated that we have received a proposal from Mr. George D. Wehner, consultant and appraiser, and have considered that he be our consultant regarding the negotiations with Norfolk Southern Railroad, for a survey of the Enola Low Grade Rail line. Mr. May stated that we need to get an appraisal and that Mr. Wehner's fee would not exceed \$15,000. Mr. May stated that he did receive information that this would qualify for a grant from DC&R for \$10,000 but we would have to invest \$1,000 to apply for the grant. He noted information that County money may be available also. Mr. Kreider stated he would be in favor of this, however he realizes there is a lot of work to be done to resolve some of the issues. Mr. Herr felt there should be a designated person to work on this and that the information received shows Mr. Wehner would be qualified. After some discussion, all agreed they would want Mr. Wehner but will wait for decisions until Staff comes back with more information on the grant.

Charlestown Road Culvert Mr. Bauder stated there is a meeting with the engineers to scope out the job for the culvert on Charlestown Road. Mr. Smith stated that clarity is needed for the perimeters of the job to determine if this will be a two lane facility with a walk way or would we want to add an additional lane. The Board discussed the issue that if the road is ever reconfigured, it could possibly go to three lanes, but it is difficult to address that issue before it has happened. Mr. Smith noted that a big factor in this issue would be the Armstrong Tract if sold or developed and his recommendation at this time would be for a two-lane bridge with a walking path. The Board agreed.

Police Contract Negotiation Mr. May stated that in the past he and Mr. Goodhart, Mr. Aichele and Mr. Smith did the negotiations. He feels this time he would like to include all five Supervisors for the negotiations. Mr. Bauder agreed. Mr. Smith stated that in his opinion some preliminary work may need to be done first before all five Supervisors would be involved and suggested they do that and then have all involved. The Board agreed.

Noise Ordinance Mr. Smith provided two different drafts of noise ordinances. The first being a standard noise ordinance and the second was an unreasonable barking of dogs ordinance. He stated that after reviewing the issue, he finds that many municipalities separate these and he went over the two ordinances. He noted that issues are difficult for such a large Township and exemptions may need to be more defined for Manor Township. Mr. Smith explained one example might be if we exempt agriculture zone or agriculture use or both because there are many areas where there is agriculture uses going on but the zoning is not agriculture. The Board discussed and agreed that they would want the ordinance to exempt agricultural use. Mr. Bauder stated he is in opposition to having any noise ordinance at all. He explained that he is not in favor of doing what only a few people want and he feels the majority of the people in Manor Township do not want a noise ordinance. Mr. Bauder expressed concern that a noise ordinance will cost the Township money because the police will have more calls from this. He asked who will determine when something is too loud, at what level. Mr. Bauder made reference to Thomas Jefferson and Clarence Thomas. Earl Newcomer, 276 Blue Rock Road, agreed with Mr. Bauder and stated that the Township does not need a noise ordinance they need a nuisance ordinance. Mr. Bauder stated he does not know how you would define nuisance any more than defining noise. Mr. Newcomer stated this issue could end up just like the streetlight tax. Mr. Kreider felt one problem is that when people call the police for noise, they are told the Township does not have a noise ordinance so they cannot do anything. Lori Enders, 194 Manor Church Road, stated she lives where there is farmland on all both sides of her and she has a problem with snowmobiles that are very noisy and agreed that she can not do anything because there is no noise ordinance and she would be in favor of one. Brian Lehman, 1043 Hearthstone Road, stated he is in support

of a noise ordinance because he has a problem with a barking dog in his neighborhood. He stated he did call the police and was told they cannot do anything because there is no ordinance and when approaching his neighbor about the problem he was kicked off his property. Mr. May stated that he knows personally that a barking dog can be a very big problem but feels some things in the ordinance needs to be stated differently. He asked Chief Graeff to comment. Chief Graeff stated that at the present time, if police are called for noise, they can only ask them to stop or be quieter and hope they comply, they really don't have anything to back them up. He stated there are two sides to having a noise ordinance but in his opinion there should be some type of ordinance in effect for a township this large. Mr. Bauder stated an ordinance might be good for the big problems, but what about all the small problems our officers would be called for. After further discussion, the Board agreed that they need some type of regulation. Mr. Bauder asked how much more work this would create for the police department. Chief Graeff stated it may create a little more initially, but these would be calls the police will have to respond to if there is a noise ordinance or not. The Board agreed to progress with the noise ordinance and asked Mr. Smith to work with Chief Graeff and the solicitor for a draft. The Supervisors will also submit their thoughts and requests to Mr. Smith. Ken Ashe, 116 Spring Meadow Lane, expressed that he feels a noise ordinance is much needed but he does not feel there should be an exception to agricultural use all together, but limited in certain hours at night. The Board agreed that farmers do have times when they need to work at night. Harold Barley, 728 Walnut Hill Road, stated he is a farmer and there are times he needs to be out at night and it is not because that is when he wants to do his work it is out of need.

**Columbia Water Company Expansion Request** Mr. Smith stated that a number of residents have expressed an interest in having water installed the same time they plan to install sewer in the Letort area but they are outside of any franchise area. He noted they did extend the request to Lancaster City Water but they did not respond. He noted that Columbia Water Co. would be interested in expanding their franchise area and have prepared information to be presented. Mr. Dave Lewis, Columbia Water Co., addressed the Board and provided maps showing the areas where Columbia Water is presently located and potential growth areas. He went over the areas and stated the proposed areas are within the Urban Growth Boundary, with the exception of the Letort Development. He added that they would be interested in extending water to the Letort area but would not make application to the PUC until they would have response from the Township. Mr. Smith noted that when a franchise area is established, then that is how it stays, again noting they have talked to Lancaster City in the past. Mr. Lewis did note that even when water is installed, they are not able to make anyone hook up that does not want to. Mr. Lewis stated that they would be looking for a letter from the Township stating they support Columbia Water Company to serve this area and noted a time frame of having water in the area by 2010. After some discussion, Mr. Bauder made a motion that the Board of Supervisors, send a letter in support of the application to the PUC for Columbia Water Company to extend their franchise area as shown on the provided maps. Mr. Breneman seconded the motion. The motion carried unanimously. Mr. Smith stated he will reference specific areas for the letter.

**Homer Shenk Preservation Request** Mr. Smith stated he admires the family's desire to preserve this area but there is a problem with a small portion being zoned residential. He stated we would need to rezone it or have the Township write a letter in support of preservation to the Agricultural Preserve Board. Mr. May made a motion to write a letter to support preservation of the Homer Shenk farm and they will address the residential area the next time they review the zoning. Mr. Kreider seconded the motion, which carried unanimously.

Fawn Hill Letter of Credit Release Request Mr. Smith stated the balance for the Fawn Hill Letter of Credit is currently \$39,175.35 and recommended that the Letter of Credit, be reduced by 17,169.00, retaining \$22,006.35. He noted that upon his site observation, there are some storm water issues that have not been completed. Mr. Bauder made a motion to reduce the Letter of Credit #BH 72810-27 LC001007 – 100416 for Fawn Hill by \$17,169.00, leaving the balance at \$22,006.35 Mr. Herr seconded the motion, which carried unanimously.

Spangler Tax Relief Request – Mr. Smith noted there was a condemnation of property in process due to the deterioration of the Spangler home and they have requested some tax relief for the period of time when taxes were paid on the house that was no longer there. The tax collector has calculated the amounts to be refunded and Mr. Smith recommended approval of a refund of Township tax in the amount of \$27.44 and recommend a refund of \$112.26 be forwarded to the County for their consideration. Mr. Breneman moved that a refund be granted for the Spangler property. Mr. Kreider seconded the motion, which carried unanimously.

Leaf Collector Purchase Mr. May noted a request to purchase an LCT6000 Belt Driven Leaf Collector for curbside pickup. Mr. Harris stated that this type of collector will allow the drivers to have better visibility when picking up leaves and will also allow us to eliminate one crew member per team. Mr. Harris noted that we continue to have a partnership with East Hempfield and they collect the leaves on our high traffic areas such as Columbia Avenue. Mr. Herr made a motion to approve the purchase of the Belt Driven Leaf Collector as submitted under the PACC Contract for a total purchase price of \$31,183.28. Mr. Bauder seconded the motion, which carried unanimously. Mr. Kreider asked if this replaces a piece of equipment we are presently using. Mr. Harris stated no, it will be new and will be our third collector adding that we are in the process of applying for a 902 Recycling Grant that should cover up to 90% of the cost. Mr. Harris explained that this piece of equipment will reduce labor for our crew, increase our efficiency and it will be a 90% covered cost from the grant.

Police Vehicle Purchases Mr. Smith stated Chief Graeff is requesting to purchase two budgeted replacement vehicles. The purchase is listed to be out of the Capital Fund, through the state contract COSTAR 13 Program and there is no need to bid for them. Mr. Bauder asked if the two cars are being purchased within the budgeted amount. Chief Graeff stated yes, each car should run \$23,077.83. Mr. Bauder made a motion to approve the purchase of two Ford Crown Victoria cars for replacement cars for the police department. Mr. Kreider seconded the motion, which carried unanimously.

Police Computer Purchases Mr. Breneman noted that this purchase will be coming out of the Capital Fund, and expressed concerns that the grant they received for this purchase was \$36,000 and we were matching, giving \$72,000 for the computer purchase. He stated that now the cost is \$76,000 and his concern is that last month there was an excess amount over the budgeted amount and now this is an extra 4,000 over budget. The Board discussed other items that were purchased and noted that they just need to keep aware of budgeted amounts. Chief Graeff stated that to cut some expense, he would be able to purchase one smaller portable laptop computer that would save approximately \$2000 on the purchase. Mr. Kreider stated that he agrees with Mr. Breneman because he feels a budgeted amount should be the maximum amount that is to be spent and they need to be careful of the overall budget for the year. Mr. Herr agreed. After some discussion, Mr. Breneman made a motion to approve the purchase of the computers along with installation. Mr. May seconded the motion, which carried unanimously.

Chevy Caprice Sale Mr. Smith stated they are selling a 1993 Chevy that has been properly advertised for bid, and noted that they have received two bids. He stated bids as follows:

1) Joseph Rineer for \$401.00 and 2) Ryan Strohecker for \$153.64. Mr. Smith recommended the bid go to Joseph Rineer for \$401.00. Mr. Kreider made a motion to accept the bid from Joseph Rineer for \$401.00, seconded by Mr. Herr. The motion carried unanimously.

**Resolution #12-2008 Agility Agreement** Mr. Smith stated this resolution will continue the arrangement we currently have with Penn Dot and designate Mr. Smith as the public official that would be able to sign the extension of the Agility Agreement. Mr. Smith noted that Mr. Harris did negotiate with Penn Dot and the hourly rate has been increased from \$90.00 per hour to \$95.00 per hour for mowing. After discussion it was noted that income from the boom mower is about \$19,000 yearly. Mr. Herr made a motion to approve Resolution #12-2008. Mr. Breneman seconded the motion, which carried unanimously.

**Intergovernmental Cooperation Implementation Agreement Draft** Mr. May stated that this is a very broad and flexible plan and noted that they need comments at this time. Mr. Bauder questioned the Land Use Advisory Board and asked how the 90-day time frame would work. Mr. May stated that this is so flexible, that it will not hurt anything. Mr. Smith stated that one benefit from having this Board would be for a large-scale project like Wal Mart, anything with regional impact. Mr. Bauder agreed with a shared use.

**Hire Public Works Employee** Mr. Smith presented information for Tom Shenk, to be considered for hire in our public works department, conditioned upon passing the necessary drug and alcohol tests and a CDL. Mr. Breneman made a motion to hire Tom Shenk on the conditions stated. Mr. Herr seconded the motion, which carried unanimously.

**Letort Manor/Perth Hills Public Sewer Update** Mr. Smith noted that LASA has hired Rettew to do the engineering for the project. Information has been mailed out informing the residents that Rettew representatives will meet with them to determine several things about the sewer lines. He noted this process should allow Rettew to design the depths of the sewer lines. Mr. Kreider asked if there was a time frame for this. Mr. Smith stated that Rettew is hoping to do their part of the engineering by early mid summer and they are hoping to have sewers installed at the end of 2008 or early 2009. Mr. Smith stated that LASA has a web site for this and they are hoping to let the residents know that it is available.

#### Correspondence

Mr. Smith list the conferences as follows:

APMM Conference with a request that Mr. Smith attend with necessary expenses paid.

PELRAS Conference with a request that Mr. Smith attend with necessary expenses paid.

**Professional Pest Management** – Mr. Smith requested that Mr. Dickert and any employee that holds a pesticide license be able to attend. He noted that a list has been provided with the employees that this would affect. Mr. May made a motion to approve all the listed requests, with the necessary expenses paid. Mr. Herr seconded the motion, which carried unanimously.

**Police Conference** **MAGLOCLLEN Conference** Mr. Smith requested attendance by the detectives and the PA Chief of Police Association Accreditation Conference with request that Chief Graeff attend. Mr. May made a motion to approve the two conferences, with the necessary expenses paid. Mr. Kreider seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff noted there was no new business but reorganization was held with the following results. Mark Harris Chairman, Chief Graeff Secretary and Mr. Breneman Vice Chairman. He noted for new business, Mr. Harris informed them that the replacement of road signs continues.

### Police Report

Chief Graeff stated his report has been submitted and noted that there were 347 reports for January. He stated that due to work from our Detective department, suspects were apprehended after a burglary occurred on more than one occasion, and out of that he has received thank you letters from Millersville Boro and East Hempfield because they were able to solve a few burglaries from the work of our police force. Chief Graeff stated he has received word from other departments that have also been able to solve things because of this. He noted that all those involved received Letters of Commendations and listed Sgt. James Alexander, Det. Michael Phenneger, CI Trish Mazur, Officer Thomas Moser, Officer Brian Liddick, Officer Chuck Snyder and Officer Paul Almadovor. He stated that this was an outstanding work effort. Chief Graeff also stated that the State Police hold a one-week youth camp called Camp Cadet in Lancaster County. The dates will be Aug. 17<sup>th</sup> thru Aug. 22<sup>nd</sup> at the Horseshoe Scout Reservation Camp for any interested.

### Road Foreman's Report

Mr. Harris stated that his report has been submitted. He noted that he is in the process of bids for a Sign Making System. He provided information from three companies along with their bids for the Sign Making System. Mr. Harris stated that the low bid was from URW at \$7,190 and recommended that they purchase the machine from URW at that price. Mr. Bauder asked if this was a budgeted item. Mr. Harris stated this was in the budget at \$10,000. He noted that he will also need to purchase materials for the machine and since his budget amount for this item was \$10,000 he knew that with a \$7,100 purchase there would be money left for materials and he would not exceed the \$10,000 amount. Mr. Harris explained the work they would be doing and that they will now be able to recycle signs also noting that we are in the process of bringing our road signs up to the present required State standards for road signs. Mr. Harris also stated that he would like to train two employees to make the signs. Mr. Breneman made a motion to purchase the Sign Making System from URW for \$7,100. Mr. Herr seconded the motion, which carried unanimously. Mr. Harries stated the manager has asked him to begin looking into getting information on having our traffic signals converted to LED signals and he is working on getting that out for bid. Mr. Breneman asked if anyone has mentioned that a traffic signal be installed at the new fire satilite station on RT 999. It was noted that it is not currently on the plans but it was discussed and they would be in favor of it. Mr. Herr stated that Mr. Harris gave the Supervisors a good mini road tour and overview of the scheduled road projects for the year 2008.

### Park and Grounds Report

Mike Dickert stated they have been able to continue to do repairs and maintenance since the weather has been mild.

### Assistant Managers Report

Mr. Laudien stated he has submitted his report with nothing outstanding to note. Mr. Herr stated that he has received good comments about the Township Calendar.

### Managers Report

Mr. Smith noted that the Staff met at the County Planning Commission to meet the new council for Wal Mart, since they changed their Attorney. He also noted that he has ordered the replacement pole for the traffic signal pole at the Centerville Rd, Columbia Avenue intersection.

Mr. Smith also stated the He, Allen, Dick, and Bill will be meeting to have a discussion on job description updates. Mr. Smith also stated that he has been doing some training for PSATS and that it has been on Saturdays and has not been on Township time. Ted Gingrich, 110 Bent Tree Drive, asked if the traffic pole that is being replaced will be put on the same foundation. Mr. Smith stated yes, but we are looking at alternatives to try to protect it.

#### Building Permit Report

Mr. Kreider read the building report for the month of January. He stated that the number of reports for January was 18. He compared it to 24 in 2007.

There being no further business, Mr. Herr made a motion to adjourn the meeting. Mr. Kreider seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

Manor Township Supervisors Meeting

March 3, 2008

7:30 PM

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

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

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

Visitors present: See Attached.

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

Bills - Mr. Breneman made a motion to approve the bills as listed, seconded by Mr. Bauder. The motion carried unanimously.

Financial Report - Mr. Herr moved to approve the Financial Report as presented. Mr. Kreider seconded the motion, which carried unanimously.

#### Solicitor's Report

Mr. Smith stated there was no solicitors report.

#### Business From the Floor

Mountville Borough Authority – Community Center Mr. May stated that Susan Watson and Derik Shelor, from the Mountville Borough Authority, are present tonight to present information for the Mountville Area Community Center to be located in the old elementary school building in Mountville. Mr. Shelor presented a copy of the Feasibility Study and meeting schedule for the area explaining that it is important that they secure input and guidance from the neighboring region. He stated that Mr. Ernie Sweigert might be contacting them to discuss the project. It is their intent to accept any suggestions for the project and regional needs and encouraged all to attend the scheduled meetings. Mr. Bauder stated that West Hempfield currently pays \$4.00 per resident to participate in the Four Seasons facility and asked Mr. Shelor if he thought they would be willing to support this program also. Mr. Shelor stated that they are not looking for any financial backing or support at this time, just participation. Mr. May thanked Mr. Shelor for sharing the information with Manor Township and encouraged residents to attend the meetings scheduled for March 12, April 7, and April 9<sup>th</sup>. All at 7:30 p.m. in Mountville.

Dale Longenecker, 373 Slackwater Road, expressed concerns that a turn around area along South Duke St is creating a situation that he is afraid will continue and create a hazard for drivers. He noted an area along South Duke Street where Penn Dot has previously parked trucks and now they have abandoned the site. He stated now that the lot is vacant trucks and school buses are turning around or backing onto the roadway at South Duke Street. He noted an accident in the area just recently where a person was killed and felt this situation is going to happen again. Mr. Longenecker stated that he did contact the school district about the buses backing out at that location. Mr. Herr stated that the piece of land, Mr. Longenecker is talking about, is owned by an individual that had leased the area to Penn Dot in the past. That lease ran out and the homeowner, choose not to renew the lease. Mr. Herr stated he

does not know if the school buses have permission to turn around there. Mr. Bauder stated they could post something at the location. Mr. Smith stated he will contact the landowner to verify the facts before doing anything. Mr. May thanked Mr. Longenecker for his concerns.

Harold Barley, 728 Walnut Hill Road, stated he continues to keep the issue of the replacement of the bridge over the Conestoga Creek at Creek Road. He stated he feels it is time to contact the County Commissioners. Mr. Smith stated if the Board wants him to he will contact the Commissioners at this point in time. Bonnie Miller, 113 Bent Tree Drive, stated that she had attended the Commissioners meeting last month and at that time the County Commissioners repeatedly stated that this is not a high priority bridge and they have no intentions of doing anything at this time because there are alternate routes for the area. Mr. May stated that he feels we should still contact the Commissioners at this time.

### Old Business

Mr. Bauder stated he has concerns about potential impacts we might have this year and the effect it might have on the capital funds. His concern was with the amount of money being transferred from the Capital Fund to the General Fund, that being \$200,000 for 2008. Mr. Smith stated that is the budgeted amount. Mr. Bauder stated transfer tax we receive may be lower this year along with our interest on our investments. Mr. Bauder stated that there are two road widening projects listed for 2008, that being Seitz Road and Miller Road, and he suggested that they spread those projects out and do Seitz Road this year and do Miller Road at a later date. Mr. Kreider added that the paving material costs are also higher and he feels that we should look at the fact that we might not even need these roads widened.

Henry Barley, 201 Bender Road, stated that if the widening of these two roads was in the budget and scheduled work for 2008, it might create a problem for the employees. If you take away their scheduled work then they will be looking for work to do and we don't want to have employees with no work.

Mr. Bauder stated that Mr. Harris is a very good manager and it is not the cost of the men he is concerned about it is the cost of materials to do the work. Mr. Barley asked Mr. Bauder if he thinks materials will be cheaper in two years than it is now. Mr. Bauder stated who knows.

Enola Low Grade Rail - Mr. May stated he, Scott Haverstick, Allen Kreider, Mitch Hanna, and George Wehner, the potential consultant for this project, walked a good part of the Enola Low Grade line. He noted that it is a fantastic area and he would like to see this rail trail project move forward and not be held up as in the past. Mr. May stated that Mr. Wehner works with railroads doing appraisals and works to negotiate the transfer of abandon lines for rail trails. He noted that Mr. Wehner has excellent references and stated that he has submitted proposals to Manor Township. The first proposal is a capped fee of \$15,000 to negotiation with Norfolk Southern regarding an appraisal and to determine if a survey is needed, anticipating that his work would take about a year. He stated Mr. Wehner is hoping we could obtain a quick claim deed and a survey would not be necessary, which would lower his fee. Mr. May went over the land and the procedure we would go through to retain the services of Mr. Wehner. Mr. Bauder asked if this would be out of the budget for 2008. Mr. May stated there is no budget for this but added that there are grants we could apply for. Mr. Bauder asked what the grants would be for. Mr. May stated it could cover up to 50% of the purchase cost and 50 % of any incidental expense. Mr. Herr asked what would be Mr. Wehner's role in this. Mr. May stated he would be the liaison to Norfolk Southern and do all the negotiations and clear the way for getting a clear deed to the property. Mr. May stated this has been an ongoing project for a long time and there is still the issue of the liability of the old railroad bridge that is located on this property and noted that this property may still end up going to the Conservancy. Mr. Kreider stated that the bridge does need

some work, but it may not take as much repair as we originally thought. Mr. Breneman stated he would like to move ahead and noted that there was \$150,000 in the budget for land acquisition and they have only used \$135,000, so we would have \$15,000 that could be used for this project. Mr. Bauder agreed the \$15,000 could be taken from there. Mr. May stated he feels this would be a great leadership role and we should take the initiative to be leaders in this. Mr. Herr made a motion to move ahead and retain Mr. Wehner for his proposal and fee to be capped at \$15,000. Mr. Breneman seconded the motion. Mr. May stated that he had written others about this and only had one response. Scott Haverstick, 1970 Water Street, stated he has been the liaison to the County Study Group concerning the Rails to Trails project and agreed that this is the time to take a leadership role and get started. He noted that Senator Armstrong has been very helpful in paving the way for access to Mr. Lewis to make this possible. Mr. Haverstick stated that in the future, he feels the \$15,000 will be insignificant to what they can accomplish with this project. Mr. Haverstick suggested asking LCSWMA and Turkey Hill for funding or involvement. Mr. Bauder suggested forming a citizens committee. Mr. Haverstick stated Mr. May has done a lot of work but a small group, with Mr. May in charge, may be helpful. Mr. Bauder stated he would like to approach LCSWMA and will do so. The motion that was made by Mr. Herr and seconded by Mr. Breneman, carried unanimously.

#### New Business

Fireworks Ordinance – Mr. Smith stated this ordinance has been properly prepared and advertised and is here for consideration. He noted the significant change is the section that the permit application shall be made in writing to the Township at least 90 days prior to the date of the display. Mr. Bauder asked what is required in regard to the individual setting off the fireworks. Mr. Smith stated that the applicant must provide an operators certification and a million dollars in insurance coverage. Mr. Bauder stated there are a lot of fireworks being set off from private individuals and asked if this ordinance would shut all that down. Mr. Smith stated that the current ordinance we passed in 2002 would already stop all private individuals from setting fireworks off and the only difference with this proposal is changing the 4-2002 Ordinance requiring 30 days notification to 90 days notification from a person holding a fireworks display. Mr. Smith noted that the type of fireworks allowed by private individuals is regulated by the State. Mr. Bauder stated he always sets fireworks off himself, and he is reluctant to put this into effect. Mr. Smith again stated we already have a fireworks ordinance in effect and this is only changing the number of days to apply for a permit. Mr. Bauder stated we must not enforce this very much or he would have a problem. Mr. May stated this change is to protect homeowners. Mr. Smith stated this amendment to the ordinance applies to public displays by a paid individual and other fireworks are mandated by State regulations and he noted that Manor Township Police do enforce the fireworks regulations when they see a violation. Mr. Breneman made a motion to pass Ordinance 2-2008 as presented. Mr. Herr seconded the motion, which carried unanimously.

Charlestown Road Culvert – Mr. Bauder noted a mistake on the information where it stated complete engineering and permitting in 2008 and it should say 2009 construction. Mr. Smith stated this is a budgeted item for 2008 and in reviewing the proposal, felt it is fair and will cover the needs. He stated there are provisions if needed for additional services, to be determined by the Township, and this leaves some open-end costs that are typical. The Board discussed the work and some other items, which would be included in the bid. Mr. Herr stated they were anticipating a bid of \$50,000 and this bid came in at \$41,000 and he suggested they get moving on this. Mr. Smith recommended that they enter into this agreement. Mr. Kreider made a motion to accept the proposal for \$41,100 from Rettew Associates, Inc, for the replacement of the Charlestown Road Culvert and include the incidental services for \$1200. Mr. Bauder seconded the motion, which carried unanimously.

Street Lights - Mr. Kreider stated that in January 2008 he made a motion to forgive any penalty amounts for streetlights for \$5.00 or less. He stated that now he realizes that there are a few accounts that are in the \$5 to \$10 balance range and he would like to include them in the forgiveness of the penalty. Mr. Kreider made a motion to forgive any penalty or unpaid interest amounts for street light accounts up to \$10.00. Mr. Bauder seconded the motion, which carried unanimously.

Mr. Kreider stated that he and Mr. Laudien have been working on alternative ways to address our street light problems, noting that in his opinion they are not going away, and are probably going to get worse. He suggested that the Township buy the streetlights from PPL and be responsible for our own maintenance. Mr. Kreider stated that Mr. Strohecker and Mr. Laudien have contacted a company that would do the maintenance and explained the procedure and Concord Finance would finance this purchase. He stated if we continue the way we are now, in 20 years we will have given PPL \$3,629,383.00 for streetlights. He noted that if we would go with our own program we could save approximately \$1,503,612.00. Mr. Kreider asked the Board if we want to continue in this direction. After discussion, the Board agreed that the cost of electric will be escalating. Mr. Bauder stated that he has been in some new developments and there are no streetlights, just homeowner's security lights and he feels we should get rid of streetlights. The Board agreed to move ahead on this. Mr. Herr stated that Mr. Kreider had previously stated that in two years we would be looking to replace streetlights with solar lighting and asked what happened to that thought. Mr. Kreider stated that at this point solar lighting is not ready or feasible for us, but may be down the road. He stated that the problem right now is that we cannot use PPL poles for solar lighting. He feels we should go with purchasing the lights at this time. Mr. Bauder stated that solar lighting would be a huge capital expense at this time and we could not use the poles. If we purchase the streetlights, we can stay with PPL poles and wires and our electric rate will change and should decrease.

Request to Bid Projects and Materials - Mr. Smith stated that the Staff needs permission to continue at this point to bid for materials for oil and chipping, widening and resurfacing projects along with the need to advertise for the LED conversion project and bidding for the curb replacement. Mr. Laudien stated that for earlier reference to the budget, Miller Road and Seitz Road projects are not coming out of the Capital budget this year, they are coming out of the Highway Eight Funds and this would not affect the concerns about the Capital Funds that were expressed by Mr. Bauder and Mr. Kreider. Mr. Bauder stated that the connection is that there are some road expenses in the Capital Fund and if they did not spend as much in the Highway Eight Fund then they could use that for some of the other things and he wanted to delay things for next year. Mr. Bauder stated he is not in favor of doing both roads this year and wants to delay Miller Road. After some discussion of the procedure of widening Miller and Seitz Roads, and discussion on the balance of the Highway Eight Fund, Mr. May stated that he feels we should move ahead and at least bid to do both Miller and Seitz Roads this year. Mr. Bauder stated that he has changed his mind at this point. Mr. Herr made a motion to allow Mr. Harris to proceed with the bid process for the oil and chip project, the road widening project and the resurfacing and include the curb replacement project along with the LED conversion project. Mr. Breneman seconded the motion, which carried unanimously.

Richard Rohrer Improvement Guarantee and Financial Security – Mr. Smith explained that this is a single lot sub division and the improvement guarantee is necessary for financial security. He noted it has been properly signed and recommended approval. Mr. May moved to sign the Improvement Guarantee and accept the check for \$10,436.00. Mr. Bauder seconded the motion, which carried unanimously.

Richard Rohrer Storm Water Agreement – Mr. Smith stated that the applicant, Richard Rohrer has agreed to enter into this Storm Water Agreement and noted there are some areas that will need to be

filled in pending he includes the background information. Mr. Bauder made a motion to enter into the Storm Water Agreement and declaration of easement for Richard Rohrer. Mr. Herr seconded the motion, which carried unanimously.

Manor Oaks Lot 146 Letter of Credit Reduction Request – Mr. Smith stated this reduction request is from Manor Oaks and after review he is recommending approval. Mr. May made a motion to reduce the Manor Oaks Letter of Credit No.SB-909554-0001 from \$73,553.18 to \$50,303.18, a reduction of \$23,250.00. Mr. Herr seconded the motion, which carried unanimously.

LIMC Sample Ordinance Provisions for Neighborhood Development Correspondence – Mr. Smith noted this is a request from LIMC to see if Manor Township would be interested in having a representative on a steering committee for a neighborhood development. Mr. May suggested we participate in this and noted he would volunteer for this. Mr. Bauder stated he would also like to participate in this.

#### Correspondence

Mr. May noted the following requests:

Building Financial Foundations, a seminar being held at State College with request for Ryan Strohecker to attend. Mr. May moved Ryan attend with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously.

Lancaster County Supervisors Annual Spring Meeting - Mr. May moved that any Staff or Supervisors that want to attend notify Mr. Smith. Mr. Herr seconded the motion, which carried unanimously.

Asset Management – Mr. Smith recommended that Mr. Harris attend. Mr. May moved that Mr. Harris attend the management meeting. Mr. Herr seconded the motion, which carried unanimously.

Vascar Training – Mr. Smith stated this is a request for Officer Justin Kinard to attend the Vascar Training held March 10, 2008. Mr. Bauder made a motion approving Officer Kinard, attend the Vascar Training, seconded by Mr. May. The motion carried unanimously.

#### Traffic Commission

Mr. Harris noted the Traffic Commission did meet, however there was no new business or old business.

#### Police Report

Mr. May stated that Chief Graeff did submit a Police Report but he is not present tonight. Mr. May stated they did receive correspondence about awards that will be received at Warwick. Mr. May stated that he would like to attend.

#### Road Foreman's Report

Mr. Harris noted a problem with the gasoline tank at the maintenance building that was installed in 1996, adding that there is foreign material coming through in the gasoline. He stated it has been determined that the tank should be cleaned and possibly replaced due to an accumulation of sediment and rust. Mr. Harris explained the process they have to go through to empty the tank to get it ready for inspection. Mr. Kreider stated he feels this has a lot to do with the ethanol that in the gasoline now. Mr. May stated in his opinion ethanol is an abomination.

#### Park & Grounds Maintenance Report

Mr. Dickert stated his month has been pretty much routine but he did install a “No Littering” sign at Woods Edge Park and it seems to be helping with the dog dirt problem that they have been experiencing.

#### Assistant Manager’s Report

Mr. Laudien stated it has been an unremarkable month with no new issues.

#### Township Manager’s Report

Mr. Smith stated he did submit his report but noted that he has talked to the owner of the Maple Grove Mill about the condition of the property. He stated the Township has issued a letter, notifying the owner, Mr. Eckland, that he has 45 days to clean up and make repairs to the property or get a demolition permit to clean up. Mr. Smith stated he did hear from Mr. Eckland today and he plans to be applying for a building permit within the 45 days. Mr. Smith noted they will be making sure he complies with any rules that may apply to the structure and if not, the Township will take the steps to rectify the property.

#### Building Permit Report

Mr. Kreider read the building permit that was issued for the month of February. He noted that there were 12 permits issued for the past month, bringing the total for the year to 30. Mr. Bauder expressed concerns that building is down and this will affect the zoning fees we receive for our budget.

Mr. Breneman noted that the Regional Task Force for the Fire Companies met, and he felt the meeting was very successful. They have drafted a mission statement and things are progressing. Ted Gingrich asked if an offer was made to Mountville to participate. Mr. Breneman stated yes and that Mountville has declined the offer at this time.

Mr. May called an Executive Session to discuss a personnel matter at 9:20 PM. The Board went into the session.

The Board returned from the Executive Session at 9:35 PM. There being no further business, Mr. Bauder made a motion to adjourn the meeting. Mr. Herr seconded the motion, which carried unanimously. The meeting adjourned at 9:35 PM.

Respectfully submitted,

Barry L. Smith  
Secretary – Treasurer

Recording secretary,  
Rita J. Young

Manor Township Supervisors Meeting

April 7, 2008

7:30 PM

Chairman John May called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Dr., Lancaster, PA 17603. He led those in attendance in the pledge to the flag. Roll call was taken.

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

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

Visitors present: See attached.

Minutes - Mr. Breneman made a motion to approve the minutes from the March meeting as drafted. Mr. Herr seconded the motion, which carried unanimously.

Bills – Mr. May questioned payments for Lombardo’s and NCAS. Mr. Smith stated they were Workers Comp Insurance and Health Insurance. Mr. Kreider made a motion to approve the bills as presented. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report – Mr. Kreider commented that the accounts receivable for real estate taxes and transfer taxes are coming in slower than last year and advised that we need to keep an eye on this type of issue. Mr. Strohecker agreed. Mr. Bauder stated the fees collected for zoning permits are also under budget. Mr. Bauder made a motion to approve the financial report. Mr. Herr seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith noted that the Township made a contribution to the Lancaster County Library on behalf of Mr. Jack Kenneff. He stated we have received a very nice thank you letter from his wife. Mr. Smith stated that Mr. Goodman is handling the issues of the Township.

#### Business From the Floor

Mary Glazier, 269 Chestnut Grove Road, stated that there are people outside and they can not get in or hear anything that is going on. She felt the number of people is a problem with hearing what goes on. Mr. May said they would have moved the meeting but there was not time for advertising, but if they set a dedicated meeting for the sewer issue, it will be at another location.

Bonnie Miller, 113 Bent Tree Drive, stated that she feels this meeting should be adjourned and rescheduled at another location. Mr. Bauder stated this is a public Supervisors Meeting, and they will give some time to the sewer issue, and reschedule for that, but there are other agenda items, not just the sewer issue.

#### Old Business

Enola Low Grade Rail - Mr. May stated they have been to Harrisburg, talked to Norfolk Southern Railroad, and along with the Township Consultant, George Wehner, we now have the form to apply for access for another year so we can go in and survey, appraise it and see what all needs to be done to complete a section of a rail trail from the base of Turkey Hill to the Safe Harbor Bridge.

Creek Road Bridge - Mr. Breneman stated that he has talked to County Commissioner, Chairman Stuckey about this and he, Mr. Herr and Mr. Stuckey will be having a meeting on the issue of replacement of the bridge on South Creek Road within the next two weeks.

## New Business

Letort Manor/ Perth Hills Public Sewer Extension – Mr. May opened the floor for comments about the sewer installation for the Letort area.

Melissa Rugh, 103 Catalpa Lane, spokesperson for the group from the Letort Manor Development, stated that they have met with some Supervisors and Mr. Smith and did express their concerns, but they still have unanswered questions. She thanked the residents for the large turn out and show of support and noted that their main concern is to try to get the cost for the sewer lowered. She expressed a concern that there was a lack of communication with the homeowners right from the beginning and noted only one meeting in June of 2007 with no follow up meetings since, and requested that there be another meeting scheduled soon so questions can be answered. She stated the biggest question being why the cost is so high with an estimated \$16,000 per homeowner. Ms Rugh stated the residents feel they should not be expected to pay for the infrastructure of the sewer system and some help should be given for the remaining costs. She noted some fear they may loose their homes over this and others live week to week and don't know where they will get the money from with their current budgets. She stated that they are looking to the Township for any help. She asked that the Board schedule a meeting by the end of the month for the homeowners to ask their individual questions. Mr. May thanked Ms Rugh and stated he has talked with Rep. Katie True and Mike Kyle from LASA noting that the numbers are not set yet because the job has not even been bid yet. Mr. May stated his first thoughts were that they could possibly extend the installation so more ways can be explored to finance the project but noted that after discussing this, it may be better to move ahead because the construction industry is weak right now. Mr. May agreed another meeting must be set up but stated he hopes they have some more information before that meeting. Mr. Smith stated that LASA should be able to provide a bid document sometime this summer. He stated a possible time frame would be that the bid documents will be prepared and put out for bid this summer and then proceed in the fall, with approximately 12 months for the infrastructure. He added that the Board must come up with a time frame of how long residents would have to complete hookup to the sewer. Mr. Smith noted that LASA has looked at an area bid within Central PA's and it came in 3 million dollars less than anticipated, so there is hope that this will be less than the figures people are hearing now. Mr. Smith stated they have looked into some things like the Community Block Grant development process, but this community does not qualify for it. He noted they will pursue this further, along with Penn Vest, which is a loan program not a grant program. Mr. Smith stated he is on the LASA Board, but he feels that the Township does need to ask LASA to revisit their policy of paying one third to see if there is another arrangement that could be made to further reduce the costs and bring it to a more reasonable range like was done in Washington Boro. He noted that inflation has changed things a lot since the cost in the 90's. Mr. Smith stated that the next LASA meeting will be April 24<sup>th</sup> and Mr. May suggested that two of the Supervisors attend that meeting. Mr. May felt a meeting with the residents should be after that. Mr. Kreider stated he talked with Sen. Armstrong's office and stated they are setting up a meeting for later this month with Pen Vest and their office along with LASA, Penn Dot and our Township and maybe Katie True, to evaluate all this. Mr. May stated that they have been talking about a no interest installment payment also.

Dave Millisok, 102 Spring Meadow, expressed his concerns and stated that he feels putting a lien on a property for this sewer installation is unacceptable. He stated that in his opinion they need to look at this as a public utility and if the Supervisors can approve paying for a bridge or a park along a railroad, then you can pay for sewer. Mr. Millisok stated that he knows this is mandated by the State, but advised the Supervisors to fight to get the cost down, acquire what grants they can and then provide a bond for the sewer. Mr. Bauder stated \$16,000 that was quoted from LASA is unacceptable to him and the rest of the Board and they also do not wish to put a lien on anyone's house. He stated that a municipal bond is being

looked into and he went over some of the prices that might be involved. Mr. Bauder stated that in his opinion LASA should bring the line to the street. Mr. Millisok stated that it is their understanding that the cost of the sewer is being based on 571 houses and the current number of houses that this affects is 260. Mr. May stated that LASA is expecting revenue from that number of houses and it will help keep the cost for the current homes down even if the added homes never get developed.

Bonnie Miller, 113 Bent Tree Drive, stated her sewer has already gone up and she feels LASA is making too much money and stated she feels it is because they are projecting new development. Mr. Bauder stated that LASA's budget and financial report is on the website and they have substantial debt burden and their revenue is about 18 million a year with almost half of that going to their debt. He noted that LASA rates are actually lower than a lot of other areas and his concern is that they do what is best for the residents.

Mr. Smith stated that he serves on the LASA Board, as the Manor Township representative. The LASA Board is made up by a number of Municipalities, each having a representative and they are not in the business of making money, but in the business of treating sewer and meeting environmental guideline State laws. They are faced with long term issues regarding Chesapeake Bay initiatives. They do not provide an easy path for developers and developers do land development and extension through the municipalities. LASA provides sanitary sewer systems. Mr. May added that LASA has been mandated to update there systems at a tremendous expense and they probably has a lot to do with the increase in LASA bills.

Mike Vonderheide, 148 Nicholas Road, questioned the SEO program, which is a monitored program and is to be in effect. Mr. May stated yes, this is a mandated program. Mr. Vonderheide felt that we should stop currently, allow other options to be put into play and see what other things can be done. Mr. May stated unfortunately they can not stop and it must be done.

Tom Ecker, 2 Dublin Drive, asked why the costs were different for other areas and what is or is not available so they can understand why they received the price they did. He stated that because they have an environmental crisis in their area, he requested the Supervisors look at this differently as to what support can be provided by the Township. Mr. May assured that the Supervisors will work hard to see what they can do to help this situation.

Jeff Green, 135 Spring Meadow, asked how this became a crisis for the residents when all the farm land around the area spreads manure and adds greatly to the problem and asked how putting sewer in will clean up the problem when this continues to go on. Mr. May stated there is no guarantee. Mr. Green stated that the reason this is being state mandated is because the Township put surveys out a few years back and created this mandate. Mr. Bauder stated that the reason is really because of the contaminated wells. He noted that he did his own survey and found that 75% of the resident's are drinking the well water but you are testing it and treating it. Mr. Bauder stated he would be in favor of stopping this whole thing and review the situation and hear what all the residents have to say so they do not think that are being taken by the Township and if it cost more next year for contractors then that is just the way it will be. Mr. Bauder stated in his opinion they should not do anything that looks like they are forcing this on the citizens. Mr. Green stated that does not address the farmland contamination issue.

Bonnie Miller, 113 Bent Tree Drive, stated that if they bring the sewer in to correct that problem, what about the wells and the contaminated water. Mr. Smith stated that this is being driven by failed sewer systems, not the quality of the drinking water. What is being driven by DEP is the violation is the failed sewer systems. Mr. Smith noted that there are systems that are functioning fine, however there are enough failed systems that DEP considers this a needs area and it is mandated that we find a solution. He noted that if we need to address the quality of the wells, then Columbia Water or Lancaster City could be interested in providing public water to be extended to this project adding that they are separate issues.

Jeff Green, 135 Spring Meadow, asked how DEP determined that this is a needs area. Mr. Smith stated that Mr. Green had also asked about farming contamination and added that there is no doubt that farming is adding to the problem. He noted that farming is a necessary occupation but contamination is also coming from residential lawns with chemical application that are creating a vast part of the Chesapeake Bay problems. He stated that DEP requires us to deal with this problem and the survey revealed the number of failed systems.

Steve Dickerman, 110 Gamber Lane, stated he has been looking into purchasing a farm in Manor Township and he has just undergone a large townhouse development along side the property he currently owns. He noted problems that come with large expansion projects when sewer and water become available.

Mr. May stated that at this time they will take a five minute break and then move on with the rest of the agenda.

Mr. Breneman stated that he would like to Board to set a time that this issue may be discussed at length. After some discussion, they agreed that they will set the meeting after LASA has their next Board meeting, which is the 24<sup>th</sup> of the month. The Board agreed that they will set up a meeting when all the information is available. Mr. Bauder stated that if any information comes in first, they should call a meeting. Mr. Smith stated that they will stay in communication.

Funk Ordinance Amendment Draft – Mr. Smith stated that this ordinance has been advertised by the Solicitor based on information that we had at the time and we are waiting for County comments. He noted that it did not address some of the issues that the planning commission had. He noted a problem with a height issue and stated that if we all think it is ok as it is, we will go ahead and prepare a new draft based on that. If all are in agreement and feel that no change is necessary then we will move forward, but Mr. Smith noted that we should not miss the opportunity if what our planning commission says is good for the Township regarding the height limitations. Mr. Miller, DM/A Engineering firm working with the applicant Mr. Funk, stated that the initial request did not address the height of buildings proposed in this retirement facility. He noted it had been discussed in the MTPC meeting and this was simply an oversight in the request and after the discussion, they agreed with the MTPC that it did make sense to minimize coverage and allow more than 35 feet, which is the normal height requirement in this zoning district and stated that they would like to request 60' height. The Board discussed the issue of height. Mr. Smith noted that the normal 70' height requirement had been discussed and Staff would like to see that because it would remain consistent and could still be serviced by our fire companies. Mr. Miller agreed that the 70' would make sense and would give them more flexibility. Mr. Kreider made a motion to extend the height to 70' for this ordinance. Mr. Bauder seconded the motion, which carried unanimously. Mr. Smith stated that since the preliminary steps have already been done, he would recommend they proceed from here with the recommendation of the 70' height. The Board agreed

Subdivision Land Development Draft Amendment – Mr. May stated that this is a very long document to review and asked if there would be a shorter version of this. Mr. Smith stated he believes there is and he could possible have Mr. Lauriello or Mr. Caldwell come to answer any questions. Mr. Kreider made a request that the document be marked where any changes have been made so that it would be easier for review. Mr. Smith stated he will have that before the next meeting.

SALDO – Stephen and Deanna Shuman Mr. Smith stated this is a request for a 90 day extension of time to record a Final Plan for subdivision for Indian Marker and Highville Roads. Mr. Breneman made a motion to grant the 90 day extension for the Shuman Subdivision Plan. Mr. Herr seconded the motion, which carried unanimously.

SALDO – Earl & Ruth Newcomer – Mr. May explained they have received the briefing on this subdivision plan and noted that the engineers have reviewed this. Mr. Smith stated Rettew has reviewed this plan and cost estimates have been provided. He noted that the MTPC will be reviewing this and bring their recommendations back to the Supervisors.

Street Dedication Millstone Development – Mr. Bauder asked why we are deeding these streets. Mr. Smith stated that this is a standard form to take deed to the land. Mr. Smith noted that the Millstone Drive and Maple Lane are both part of Millstone Village Development. He noted they have been inspected and he recommends accepting the streets. Mr. Kreider made a motion to accept Resolution #13-2008 accepting dedication of the Right-of-Way of Millstone Drive. Mr. Herr seconded the motion, which carried unanimously. Mr. Herr made a motion to sign and accept the deed for Millstone Drive. Mr. Breneman seconded the motion, which carried unanimously. Mr. Breneman made a motion to accept Resolution #14-2008 accepting dedication of the Right-of-Way of Red Maple Lane. Mr. Bauder seconded the motion, which carried unanimously. Mr. Herr made a motion to sign and accept the deed for Red Maple Lane. Mr. Kreider seconded the motion, which carried unanimously.

Oak Hill Partners Letter of Credit – Mr. Smith explained that Mr. Hess, with Oak Hill Partners is required to have a maintenance guarantee in the amount of 15% for a period of 18 months. Mr. Smith noted the current Letter of Credit is for \$160,893.00 and he would qualify for a reduction of \$30,333.90 bringing it to a balance of \$130,559.90. Mr. Breneman made a motion to reduce the Letter of Credit for Oak Hill Partners by \$30,333.90. Mr. Bauder seconded the motion, which carried unanimously.

Nauman – Mr. Smith stated that NHB, Inc. is a request for a reduction in the Letter of Credit for the Nauman subdivision project at 175 Owl Bridge Road. He noted that most improvements are in place. The original amount was \$61,845.09 and Mr. Smith recommended retaining \$16,474 until the remaining work is complete. Mr. Kreider made a motion to reduce the Letter of Credit for NHB, Inc. and retain \$16,474. Mr. Breneman seconded the motion, which carried unanimously.

Charlestown Road Culvert – Mr. Smith stated that this is notice that we have been notification that the Charlestown Road Culvert Replacement. Mr. Smith added that this is a required Act 14 Notification.

Millersville Fire Company – Mr. Smith stated this is a signed Improvement Guarantee Agreement meeting the requirements of our Subdivision and Land Ordinance. He noted it has been reviewed by the Solicitor and there is also a Letter of Credit provided. Mr. Smith recommended that this be approved and signed as presented. On motion by Mr. Bauder and seconded by Mr. Kreider, the Improvement Guarantee Agreement and Letter of Credit was signed and approved. The motion carried unanimously.

Letter of Resignation – Mr. May stated that it is with regret that he accepts a resignation from Beth Herr who has been a member of the Manor Township Planning Commission. Mr. Breneman made a motion to regretfully accept the resignation of Beth Herr from the MTPC. Mr. Herr seconded the motion, which carried unanimously. Jim Huber, 113 Shannon Drive, stated that he is disappointed that Ms Herr is resigning because she has been an asset and knowledgeable person for the MTPC. Mr. May stated that this leaves a vacancy on the MTPC and noted that there are six résumés in the office for review. Mr. May suggested that the Supervisors review all and set up some interviews before making any decision. Mr. Breneman suggested we contact the individual first and make sure they wish to be interviewed. Mr. Smith suggested Staff contact each person and get back to the Supervisors.

PSATS Resolutions – Mr. Smith stated that in the past the representative for the Township has voted on the proposed resolutions for consideration at the PSATS Conference. He noted they are now provided with a copy of the resolutions for 2008 for their review, so they may review them and provide guidance to their delegate, which is Mr. Kreider, if they want to. After some discussion, the Board agreed they will contact Mr. Kreider if they have any comments.

Resolution #15-2008 Mr. Smith noted this resolution is the Escalator Clause that Penn Dot Specifications allows us to have as a price adjustment of Bituminous Materials. Mr. Smith noted this needs to be done by resolution before we act on our bids for projects and materials. Mr. Bauder made a motion to adopt Resolution #15-2008 regarding the Escalator Clause. Mr. Kreider seconded the motion, which carried unanimously.

Award Bids Mr. Smith stated sealed bids were opened Thursday with the following results. He noted that bid requests were properly advertised for Seal Coat, In Place Paving and Materials. Seal Coat low bid was Stewart & Tate \$34,675.71 and \$21,027.89 for a total of \$55,703.60. Mr. Harris noted that the budget amount was \$54,000 and this was only \$1,300 over. In Place Paving had a low bid from Highway Materials for \$203,117.60, 14,630.40, 14,385.60, and 4,352.88 for a total low bid of \$236,486.48. and noted that this amount was \$20,000 under budget. Materials low bid was from Highway Materials for \$51.60, 45.80, and 45.05 and Mr. Harris noted this total should be about \$6,000 over what was budgeted. He stated the overall results were about \$13,000 below the budget for the Highway Eight Fund. Mr. Breneman asked how these prices compare to last year. Mr. Harris stated that costs have gone up. Mr. Kreider stated that he was pleased they had comparable bids. Mr. Breneman asked Mr. Harris if the low bids are quality work and if we have used them before. Mr. Smith stated they are qualified bidders. Mr. Harris recommended all the low bids. Mr. Breneman stated he has a concern that with the pick-up prices, it will cost more money. Mr. Herr noted that he and Mr. Harris did discuss the cost of delivery vs. the cost and time and man power to pick up stone. Mr. Herr made a motion to award the bid for Seal Coat to Stewart & Tate for a total of \$55,703.60. Mr. Breneman seconded the motion, which carried unanimously. Mr. Herr made a motion to award the bid for In Place Paving to Highway Materials for a total of \$236,486.48. Mr. Kreider seconded the motion, which carried unanimously. Mr. Herr made a motion to award the bid for Materials of 2A Stone to Stoltzfus for the Unit Price Fob of \$4.25 and Unit Price Delivery of \$7.80. Mr. Breneman seconded the motion, which carried unanimously. Mr. May moved to award the bid of Materials to Highway Materials for Superpave 9.5 mm for Fob \$46.35 and delivery \$51.60, Superpave 19 mm for Fob \$40.55 and delivery \$45.80, Superpave 25 mm \$39.80 and delivery \$45.05. Mr. Bauder seconded the motion, which carried unanimously.

Pension Plan Amendment – Mr. Smith noted this amendment is proposed by Principal. Mr. Strohecker explained that this is to update the mortality date on the non-uniformed pension plans from the 1994 rate to the 2000 rate because people are living longer. He noted that there are two parts to the amendment but it is only applying to the non-uniformed pension plan. He noted along with updating to the 2000 rate, we also now will allow any employee that has earned or accrued a benefit of less than \$5,000. per year, to be paid a lump sum payment at the point of termination or retirement to get them off the plan. He stated that the financial component to this amendment is neutral but could save administrative time in the future. After some discussion Mr. Kreider made a motion to accept the three-tier segmented corporate bond rate as presented. Mr. Herr seconded the motion, which carried unanimously.

Manor Oaks NPDES Permit Renewal Mr. stated this is a required Act 14 Notification from Manor Oaks General Partnership for a Stormwater NPDES Permit Renewal from Rettew Project No. 08-05744-002.

Lancaster Intermunicipal Committee Agreement – Mr. May stated this is the Intergovernmental Cooperation Agreement for Implementing Growing Together, a comprehensive plan for Central Lancaster County. He noted that the LIMC has been working on this for a long time. Mr. May stated we have this for review at this time and they are suggesting that we consider adopting this at the May meeting. Mr. Kreider stated he plans to be at the next scheduled meeting and he would be glad to relay any suggestions that this board might have, at that time.

Resolution #16-2008 Grant Funding for Tasers – Mr. Smith noted that by adopting this resolution it would give Chief Graeff the ability to apply for grants for funding for the tasers. Mr. Breneman asked if this would be to acquire more tasers. Chief Graeff stated yes and he is hoping to be able to have the grant cover some training also. Mr. Herr asked what percentage does the grant cover. Chief Graeff stated it should cover everything. Mr. Breneman made a motion to adopt Resolution #16-2008. Mr. Herr seconded the motion, which carried unanimously. Chief Graeff asked for permission to contact the Legislators to get letters of support. The Supervisors agreed that Chief Graeff be able to do that.

Request to promote Officer Tricia Mazur - Mr. Smith stated that in January 2008 the Board promoted Det. James Alexander to Sergeant and at that time Officer Mazur was assigned to the detective unit. Chief Graeff stated that Officer Mazur has been performing the job of criminal investigator for the past three months and has done an outstanding job. He stated he has talked with Sgt. Alexander, Sgt. Gundel and Det. Phenneger and all have recommended the promotion. Chief Graeff requested that the Supervisors promote Officer Tricia Mazur to detective. Mr. Breneman made a motion to promote Officer Tricia Mazur to the position of Detective. Mr. Bauder seconded the motion, which carried unanimously. Mr. May presented Det. Mazur with her badge.

Columbia Zoning Ordinance Amendment – Mr. Smith stated this ordinance is for review and comments from the Supervisors. The Supervisors stated that they have no comment.

#### Correspondence

Mr. Smith noted the following requests for seminars or training.

1. Planning Code Made Easy noting a request that any planning commission member, or any appropriate staff be able to attend.
2. PA Institute of Certified Public Accountants with a request for Ryan Strohecker to attend.
3. Association for PA Municipal Management requesting that he and Ryan attend.

Mr. May made a motion that the above training sessions be approved with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff reported that the Traffic Commission Meeting was held Wed., March 26, 2008. All members were present and there was no business discussed.

#### Police Report

Chief Graeff stated he has submitted his report and reviewed the amount of calls for the month. He noted that they have held the physical fitness tests at Hempfield High School for the joint hiring process which includes 12 County Police departments. He stated they had advertised several months ago, receiving 95 applications and added that they lost about 15 people in the fitness tests and approximately 20 people did not show up. This leaves the number at 60 people for the written test on the 20<sup>th</sup>. Mr. Bauder asked how they solicited for applicants. Chief Graeff stated they had advertised in three county area newspapers that being York, Lebanon and Lancaster and added that it was on the internet also. Chief Graeff added that every year there are less and less applicants. Mr. Bauder asked what training is required. Chief Graeff stated that they need to have completed the Act 120 which is a Police Academy. Chief Graeff stated that the computers are here and are currently being installed in the cars and should be ready for use by next week. Chief Graeff stated that the new “Officer Phil” program is going well at the elementary schools and Officer Tataara has been awarded the Smooth Operator Award for the year 2007, being one of six in the County to receive that award.

Mary Glazier, 269 Chestnut Grove Road, asked for an update on the noise ordinance. Mr. May stated that this has been taking longer than expected and a meeting is scheduled to discuss this. He noted they are hoping to have a draft ordinance for the May meeting. Ms Glazier noted a problem with noise from dirt bikes in her area.

#### Road Foreman's Report

Mr. Harris stated that they did lend the trammel unit to Lancaster Township, and will swap services as Lancaster Township will come and do street sweeping in Manor Township. He also stated that they are scheduled to replace the stormwater culvert on Charlestown Road, West of Prospect Road. He noted that they have met with Rettew and hope to replace the culvert between June and August.

Sara Reinhold, 2725 Royal Road, noted holes along the side of the entrance to Wilshire Hills from South Centerville Road, which have been filled with large stones. She noted that the stones are on the road sometimes and asked if it could be replaced with asphalt. Mr. Harris stated he will look at it but we do not make major repairs there because it is his understanding that this part of the road will be abandon and Royal Road will be connected to South Centerville Road at a different location.

#### Parks and Grounds Report

Mr. Smith noted that Mr. Dickert's report has been submitted but he is not here tonight.

#### Assistant Managers Report

Mr. Laudien stated the Township newsletter has been printed and should be in the mail this week. He added that a draft contract for the street lighting has been received and is being reviewed at this time.

#### Managers Report

Mr. Smith noted his report has been submitted. Mr. May asked if Mr. Smith could provide a figure for the amount of time he spends on right to know requests. Mr. Smith stated that this varies and often is based on what issues are going on that month.

#### Building Permit Report

Mr. Kreider read the building permit report noting there were 20 permits for the month of March which brought the years total to 50 for a total dollar value of \$3,989,623.

Mr. Breneman stated that they are hoping to continue monthly meetings for the Fire and Emergency Task Force, they are working very hard and it is going well.

There being no further business, Mr. Breneman made a motion to adjourn the meeting. Mr. Kreider seconded the meeting, which carried unanimously. The meeting adjourned at 9:40 PM.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young



## Manor Township Supervisors Meeting

Monday, May 5, 2008

7:30 PM

Chairman John May called the meeting to order at 7:30 PM in the Manor Middle School, 2950 Charlestown Road, Lancaster, PA 17603. He led those in attendance in the pledge to the flag. Roll call was taken, noting members present.

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

Members absent: Jay Breneman.

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

Visitors present: See attached.

Supervisors Executive Session Mr. May stated that the Supervisors held an Executive Session on April 30, 2008 at 9:00 AM to discuss a Personnel Matter.

Minutes – Mr. Bauder stated that the April minutes do not reflect that he made very pointed comments about stopping the entire process of proceeding with the sewer in the Letort Manor and Perth Hills area. He noted that he did not want the minutes changed, but repeated that he wants the sewer process stopped and explore what else is available. Mr. Kreider made a motion to approve the April 2008 minutes as drafted. Mr. Bauder seconded the motion, which carried unanimously.

Bills - Mr. Herr made a motion to approve payment of the bills for the month. Mr. Kreider seconded the motion, which carried unanimously.

Financial Report - Mr. May noted that at last month's meeting Mr. Bauder commented that we need to be aware that our revenues because of the slowing economy. Mr. May stated that the economy is still slow and Mr. Bauder agreed. Mr. Bauder made a motion to approve the Financial Report. Mr. Herr seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith stated that he has provided them with a copy of a letter from the Solicitor, Mr. Tom Goodman, that as a result of the death of his partner, Mr. Jack Kenneff, he is recommending that the Township seek special council in the case with Wal-Mart. He recommended that they attain Mr. Matt Crème, of Nicolas & Hoendatal for representation in the Wal- Mart decision. Mr. May agreed. Mr. Herr made a motion that Manor Township appoints Mr. Matt Cream, of Nicolas & Hoendatal, as special counsel to handle the Wal-Mart appeal. Mr. Kreider seconded the motion, which carried unanimously.

### Business From the Floor

There was no business from the floor.

### Old Business

Mr. May stated that he will be attending a meeting Wednesday, May 7<sup>th</sup>, with a company to discuss options that might be available for the sewers. He also noted a meeting scheduled for Friday, May 9<sup>th</sup> with LASA to discuss the cost options. Mr. May stated that with holding these two meetings, he is hoping to have some answers and announced that there will be a special Supervisors Meeting, scheduled to be held here, at the Manor Middle School on May 19<sup>th</sup> at 7:30 PM to discuss the Letort Manor/Perth Hills Public Sewer Extension.

Joan Matterness, 213 Sutherland Rd, asked what time the meeting was going to be at LASA on May 9<sup>th</sup>. Mr. May explained that it will not be a public meeting, but he and Mr. Kreider will be attending.

Brekland request - Mr. May noted a letter from RGS Associates, on behalf of their client Keystone Custom Homes, requesting a second time extension. He noted the time request is for six months from the next Supervisors meeting, until November 7, 2008. The request stated that this will allow time for issues relative to the development property to be resolved and a re-submittal of the Preliminary Plan to occur, prior to coming before the Supervisors for approval. Mr. Robert Weaver, Keystone Custom Homes was present to answer any questions. Mr. Bauder made a motion to grant the six months extension for the Brekland Preliminary Subdivision Land Development Plan. Mr. Kreider seconded the motion, which carried unanimously.

Mr. May stated that he is excited to announce that the Lancaster County Conservancy will finally be acquiring land from Norfolk Sutherland for the Enola Low Grade Rail.

Sewer System - Mr. Kreider stated that he is looking into decentralized systems for the sewer problem in the Letort/Perth Hills area. He explained that it would be a treatment facility at the site where the development exists. He noted that he will be meeting with ECO Systems for their input and did not feel that LASA is qualified to give input on this type of system. He will study this so he can give a fair evaluation. Mr. Bauder stated that he did an independent study on decentralized sewer systems, and found that they usually do not attract new development and this would be an advantage. Mr. May stated that it would be a concern with LASA that new development could open up with sewer and water available.

Ken Ashey, 116 Spring Meadow Lane, asked what the long term cost would be to maintain a decentralized system. Mr. May stated they do not know at this point, but there would be a cost to maintain it. He stressed the fact that if there would be a decentralized system installed LASA would not be doing any maintenance nor would Manor Township. The system would be the responsibility of the neighborhood.

Melissa Rugh, 103 Catalpa Lane, thanked the Supervisors for scheduling the special meeting to be held on May 19<sup>th</sup>, so they might have some answers. She asked who will be attending that meeting. Mr. May stated he and Mr. Kreider, Mr. Smith and Mike Kyle. Also some board members. Mr. Kreider noted Wells E. Incorporated will also be present.

Dave Millisok, 102 Spring Meadow Lane, noted there are homes going up for sale in the area because of this proposed sewer. He noted the cost estimates have been anywhere from \$34,000. to \$16,000. He encouraged the Supervisors to come up with a set price to put the sewer in so people can know what to do. He stated they need to have a formula of what the cost is so those selling know what amount to reduce the home when selling. Mr. May stated LASA has set the cost at \$16,000. Mike Kyle, LASA, agreed that it will be \$16,000.

William Zell, 144 Bender Mill Road, stated he has his house up for sale and has been offered \$40,000 less because of the sewer. He stated that he feels the resident should only have to pay for their line and hookup and nothing else. He stated he has his house up for sale because he lives on Social Security and can not afford the sewer.

Mr. Kreider stated that if they would go to the decentralized system, they could use smaller pipe and not LASA regulations. He stated he is not convinced it will be LASA sewer and he feels they are back to square one to figure out what to do. Mr. Bauder agreed and stated that he would like to put a freeze on everything and wait until more information is available. Mr. May agreed they should wait and called for a five minute recess.

Mr. May reconvened the meeting.

Police Memorandum of Understanding - Mr. May stated that after lengthy negotiations, an agreement has been met to enter into a trial period of 12 hour shifts for the Manor Township Police Department for 12 months. He noted there was a six hour negotiation meeting consisting of the Township, the Police Union

and attorneys from both sides to get this final draft of the agreement. He stated it includes the 12 hour shifts on a trial basis and the Police Union and the Township will review it periodically. Mr. Smith stated that he feels it will be beneficial to the officers and swinging shifts will give Chief Graeff an opportunity to be in contact with all the officers. He stated it should reduce overtime and give flexibility to the schedules for court time.

William Zell, 144 Bender Mill Road, disagreed. He stated he was a truck driver and in his opinion, 10 hours is the maximum time you should work before you become accident prone. Mr. Smith stated that they did address that issue and noted this is a trial for 12 months.

Mr. Bauder asked several questions about the terms relating to a bonus of 4 hours for every pay period. Mr. Bauder also asked the Chief how he was going to manage the bonus time relating to the officer being off. Chief Graeff explained how the officer will acquire 8 hours a month of bonus time and he must use it within three months or lose it. He stated that the officer will only be able to schedule the bonus time when it would not involve any overtime needed to cover his shift.

Mr. Herr made a motion to enter into the agreement for 12 hour shifts for a trial period of 12 months. Mr. May seconded the motion, which carried unanimously.

#### New Business

Ordinance #3-2008 Mr. May stated Ordinance #3-2008 is approving and authorizing Manor Township to enter into the Intergovernmental Cooperation Agreement for Implementing Growing Together: A Comprehensive Plan for Central Lancaster County. He noted that there are eleven municipalities that are members of the LIMC. Mr. Kreider made a motion to adopt Ordinance #3-2008. Mr. Bauder seconded the motion, which carried unanimously.

Funk Ordinance Amendment Draft – Mr. May stated this is a proposed Zoning Text Amendment for an addition to Section 441 – Nursing, Rest & Retirement Homes. He stated that the LCPC comments urge that the Supervisors not adopt this text amendment. The County comments state the proposal is not consistent with Growing Together, the Comprehensive Plan for Central Lancaster County. They also suggest that this type of development should be in the UGB and if not, then evaluate the area along with the rural area and possibly expand the UGB. Mr. May stated he has concerns and feels that they may need to evaluate all this before adopting any amendment like this. Mr. Bauder stated they have adopted the Growing Together and need to be consistent in what they have agreed with in that. Mr. Bauder stated that he would like to see the process to have a mobile home park in the rural area removed from the present zoning ordinance. Mr. Kreider agreed and stated that he feels we need to stop at this time and reevaluate the situation before making any decisions. Mr. Kreider stated that if we approve this, knowing it is outside the UGB, then we are setting a precedent, so we need to look before taking any action. Mr. Smith noted this is on the agenda tonight because of correspondence received and no action needs to be taken at this time. He stated it needs to be advertised and hopefully can be acted upon at the June Supervisors meeting. The Board discussed the steps that would be needed if they choose to change the zoning or if they would ask for the UGB to be extended. Mr. Smith noted that another choice may be to change the zoning so this was a permitted use, or they could make it a special exception. Mr. Kreider expressed concerns that if they change the zoning it would be spot zoning because they would only be considering one property and not a whole area to be changed. Mr. Smith stated this would not be spot zoning because the property already includes two zoning districts. Mr. Bauder stated he feels this application is a good plan and is good for this parcel of land. Mr. Bauder said this makes good use of the property, and he would like to see the Staff expedite this plan as soon as possible, whatever the best way we need to proceed. Mr. May agreed. Mr. Smith asked the Supervisors if they would like to look at the UGB, add some land to that, and if they do add land, do they want land taken out of the UGB somewhere else to balance it. Mr. Bauder stated he would have to look at

the map and the Comprehensive Plan before making any decisions. The Supervisors agreed that they need to look at this more carefully, review information that Mr. Smith obtains, and be cautious that they do not create a new problem by moving too fast.

David Miller, DM/A, representing Mr. Funk, asked if he could obtain a copy of the County comments, and also asked the Supervisors to clarify the position of MTPC. Mr. Smith stated that the MTPC has deferred to the Supervisors until they have time to review the county comments. Mr. Miller requested that the Supervisors review all the information. He felt there is no need to rezone and there is no need to enlarge the UGB. He stated the use they are requesting will have minimal effect and he feels rezoning and changing the UGB will be entering into issues that are not necessary. The request is for a retirement community and not a growth area of numerous houses and has been supported as a good use for this land. He stated that he understands the County concerns with houses and the UGB but asked that the Supervisors look at what this project will bring to the Township.

Fred Funk, 306 S. Duke St, stated he owns the property and a portion of the land is already in the UGB.

Mr. Bauder asked how long it would take to go through the process to change the zoning or the UGB. Mr. Smith stated that changing the zoning or the UGB is going to be several months. It would need to be advertised, go through the process of public input and then probably another month after that until a decision is made.

Mr. Miller went over the location of the property and the adjoining properties. The Board discussed the process that has taken place so far and Mr. Miller noted that he thought these issues were already settled. Mr. Bauder stated that he has concerns with the UGB and feels they really need to address the issues on the County comments. Mr. May agreed.

Mary Glazier, 269 Chestnut Grove Road, explained that the MTPC only received the County comments at their last meeting and they decided that they could not make recommendations or comments on the information until they had time to review it. They felt it only fair to defer to the Supervisors at that time. She stated that the MTPC does feel this is a good plan and good land use but there is a need to review the current zoning ordinance before they can make recommendations.

Mr. Herr stated that he also feels this needs more time for review, noting four pages of comments from the LCPC and whatever they receive from the MTPC. Mr. May agreed. Mr. Kreider stated that he agreed that the MTPC needs more time to review this before passing comments to the Supervisors. The Supervisors were all in agreement that they would wait until the MTPC has time to review this plan and County comments, and then make any recommendations to the Supervisors.

SALDO - Breneman/Zimmerman Briefing Mr. Smith stated that this is a briefing item for a sub-division on Franklin Road in the agricultural zoning district. He stated that part of the property is in West Hempfield, but the sub-division is deferred to Manor Township because the Twp. has the major portion of land. He noted this will go to the MTPC for comments and it will be an action item for next month. Mr. Kreider asked if both tracts will remain agriculture. Mr. Smith noted that there are no buildings on them at this time.

SALDO- Mr. Smith stated this is a final subdivision plan for Earl L. and Ruth B. Newcomer, located on Blue Rock Road. He noted review letters with comments from Rettew and it was before the MTPC at their April 2008 meeting. Mr. Smith stated the applicant is in compliance. Mr. May made a motion to approve the Final Subdivision Plan for Earl L. and Ruth B. Newcomer based on meeting the conditions of the letter from Rettew dated April 1, 2008. Mr. Bauder seconded the motion, which carried unanimously.

Resolution #17-2008 This resolution is to approve the signing of the grant application to the Department of Conservation and Natural Resources for a grant for the Rail Trail project with Mr. May as designated signature. Mr. Bauder made a motion to pass Resolution #17-2008 assigning Chairman May as designated

person to sign the grant application for the Dept. of Conservation for the Rail Trail project. Mr. Kreider seconded the motion, which carried unanimously.

Eagle Heights – Mr. Smith noted a reduction request in the security construction bond from Charles & Kicera for the Eagle Heights project. He noted the request reduction is for \$276,824.44 and that amount includes \$121,517 for the sanitary sewer that was mistakenly excluded from the last reduction request. After some discussion, Mr. Kreider made a motion to approve the reduction request for the Eagle Heights project. Mr. Herr seconded the motion, which carried unanimously.

Columbia Water Company PUC Application – Mr. Smith stated that the Columbia Water Company has filed an application with the PUC and is requesting the Commissions approval to extend its franchise/certificated territory to include additional areas of Manor Township. Mr. Smith stated they are asking for our support and there will be time for public comment. Mr. Bauder stated that he has concerns that if the water goes to the Perth Hills/Letort Manor areas along the way and at that location has a potential for 80-100 more homes to go in over the next 10 years. Mr. Smith stated that the request from Columbia Water Company is not only for those areas and there is not a mandatory hook up to water.

Dump Truck – Mr. Smith stated that it was properly advertised to take bids for the sale of a 1998 Five Star International Dump Truck but we did not receive any bids. Mr. Smith noted that they did put two options into the budget for 2008 and the second option was a \$9,500 option to trade. After some discussion, the Supervisors agreed that they would trade the dump truck in.

Isolation Distance Waiver – Mr. May stated L. Howard Martin, 2921 Charlestown Road, is requesting the waiving of isolation distances as allowed within the sewage regulations. Mr. Kreider stated he did look at this property and the waiver request if for a very large distance. Mr. May noted that we could require a hydro study be done but that would be very costly. Mr. Smith stated we have granted waivers in the past, but never one with this great of an amount. He noted the requirement is for 100 feet and they are requesting a waiver of 65 feet, leaving only 35 feet for the distance from the well to the absorption area. Mr. Smith stated this is a large parcel of land which does not make it a hardship and he did not recommend granting the waiver. Mr. Smith stated that the Township sewage enforcement officer has recommended several options, one which would be to relocate the well but he did not recommend approval of this waiver. Mr. Kreider noted several concerns with the type of system they were requesting. Mr. Bauder asked what type of system they have now and noted that a sand mound would reduce what would be released into the ground. Mr. May made a motion to deny the waiver request. Mr. Bauder stated he did not want to act on this until he would have more information. Mr. May withdrew his motion. Mr. May made a motion to table any action on this request until more information is reviewed. Mr. Bauder seconded the motion, which carried unanimously.

Villas at Sutherland Request – Mr. Smith stated that this is a request to release two letters of credit for the Woods Edge Villas at Sutherland because the project is complete. Mr. Bauder asked why they should not require the 15% maintaining fee that they usually do. Mr. Smith stated that this project is 100% complete and that there are no public streets in the development. Mr. Bauder made a motion to approve the release of the two letters of credit to The Murry Companies for the Woods Edge Villas at Sutherland and noted the total amount of each letter of credit is \$72,268.87. Mr. Herr seconded the motion, which carried unanimously.

Storm Water, Meadow Lane Dairy – Mr. Smith noted a request from Meadow Lane Dairy for a modification of a storm water requirement. He stated that they have a storm water management plan but will need to provide a Letter of Credit and Improvement Agreement. Mr. Smith stated the documents will need to be approved and signed and the Supervisors could approve these on condition they were reviewed by the solicitor and then he could sign them and not hold this project up. After some discussion, Mr. Bauder made a motion to conditionally approve the request on the terms that the Township solicitor review the

information with approval and that the Letter of Credit be satisfactory. Mr. Herr seconded the motion, which carried unanimously.

#### Correspondence

Administrative - Mr. Smith noted a request from Rita Young to attend the 6<sup>th</sup> Annual Tax Collectors Seminar in York, to acquire mandatory credits. It will be a one day seminar with a total cost of \$35.00. Mr. May made a motion that Ms Young attend the seminar with the necessary expenses paid. Mr. Herr seconded the motion, which carried unanimously.

Public Works – Mr. Smith noted that Mr. Harris has requested that some of the maintenance dept. attend a Flagger and Work Zone Safety training seminar to be held at the LASA building. He felt this would be a great opportunity for them noting there would be four spots available with a cost of \$40.00 per person. He noted that the class will also give 4 hours of DEP credits for our Waste Water License that we maintain due to the ownership of our sewer system. Mr. Bauder made a motion that they be able to attend with the necessary expenses paid. Mr. Herr seconded the motion, which carried unanimously.

Police Department – Chief Graeff requested permission to attend the PA Chiefs of Police Assoc. Education & Training Conference in July at the Lancaster Host Resort. The cost would be \$200. Chief also requested that Det. Tricia Mazur attend a Death and Homicide Investigation Seminar Mr. May made a motion to approve the two requests from Chief Graeff with the necessary expense paid. Mr. Kreider seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff stated the Traffic Commission held their meeting Wed. April 30<sup>th</sup> at 8:30 AM. There was no old business and no new business.

#### Police Report

Chief Graeff read his report noting the amount of telephone and radio calls for the month being 1147. He also noted 255 complaints for the month.

#### Road Foreman's Report

Mr. Smith stated that Mr. Harris was not present tonight but his report has been submitted.

#### Parks and Grounds Report

Mr. Dickert stated that the parks are ready for the season. He continues to mow and maintain the park areas.

#### Assistant Manager's Report

Mr. Laudien stated that the Turkey Hill Country Classic was a success again the year. He thanked the police, the road crew and all that helped.

#### Township Manager's Report

Mr. Smith stated he has submitted his monthly report and noted that he appreciates all the time Mr. Laudien has put into making the Turkey Hill Country Classic a huge success again this year. He stated that it started as a small road race event in the beginning and with all the efforts of Mr. Laudien it has advanced to a wonderful Township event.

#### Building Permit Report

Mr. Kreider read the Building Permit Report stating that there were 30 permits issued in the month of April bring the total for the year to 80 permits.

There being no further business, Mr. Bauder made a motion to adjourn the meeting at 9:35 PM. Mr. Herr seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

## Manor Township Supervisors Meeting

Monday, May 19, 2008

7:30 PM

Chairman John May called the meeting to order at 7:30 PM at the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken noting all Supervisors present.

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

Staff present: Barry Smith.

Visitors: See attached.

Mr. May stated this meeting has been called to order for the discussion of the installation of sewer in the Letort Manor and Perth Hills developments. Mr. May stated they will open with public comments noting that the Supervisors will talk next, then Mr. Kyle from LASA, and then a group led by Melissa Rugh with questions. Mr. May opened the floor to public comment at this time.

### Public Comment

Dr. Yovvne Foster, 148 Nicholas Road, noted that she has a background in research. She held up the Act 537 sewage disposal identification document of protocol and asked Mr. Smith if he has ever seen this before. Mr. Smith stated yes. She expressed concerns with results from a survey and a study that took place on the properties in Manor Township. She noted that she read past minutes and felt that protocol was not followed. Ms Foster asked Mr. Smith if he knew what Pen Vest was. Mr. Smith stated that Pen Vest is a funding agency for infrastructure of sewer and water. Ms Foster read information about Pen Vest regarding the mailing of a survey and that a mailing survey may be less accurate than a door to door survey and that a mailed survey may not be used to prepare Pen Vest project ratings. Ms Foster stated that she voted for Mr. May because he said he would fight for the people and she felt he is not doing that. Ms Foster felt this was not a reliable study and they should not have to pay \$16,000 for sewer installation from an unreliable study that was done.

Dave Milisock, 102 Spring Meadow Lane, stated that he had sent Mr. Smith a letter concerning this issue. He did note that he had independent contractors in to look at his property and went over the costs. He stated he did have one estimate that came in 15,000 over the LASA estimate. He stated he felt to pay from the house to the infrastructure could be approximately 10,500. Mr. Milisock discussed the procedure that residents may have to go through and costs involved for the residents. He asked the Supervisors if they were prepared to tell residents how they are going to break the cost down to install the sewer and stressed the fact that if they were told they only have to pay for hookup and costs from their house to the infrastructure, then they could move forward with figuring out a price for their home and what costs are coming up.

Michael Vonderheide, 148 Nicholas Road, stated that in June 2007 he attended a meeting at the Letort School where the residents were informed that DEP had mandated this sewer project based on contaminated private wells. He noted that April 9<sup>th</sup>, he was in contact with the sewage planning supervisor for the Water Management Southcentral Regional Office of PA and asked if DEP had given a deadline mandate as to when the public sewer system has to be completed by Manor Township or LASA. He stated the response is that no DEP mandate has been issued to LASA or to Manor Township, however, it is the expectation of the DEP that the 537 Plans, once approved, will be followed and sewer implemented in accordance with the schedule contained in the plan. Mr. Vonderheide questioned why Mr. Smith has not spoken on behalf of Township residents. He noted the Township should be looking

for ways to fix this and not LASA as the only option. In his opinion, the sewer group is motivated by the Barley Development Group, other investors, LASA and Manor Township and they put the financial burden on the residents. He feels if they want this to take place, then they should pay for the total infrastructure. He felt a lien on the property is not an option. Mr. Vonderheide noted that when it effected John May with the landfill issues in the past, Mr. May supported open discussions that include people and all meetings were above board. He requested that Mr. May support this group the same way he did when the issues were at his door. Mr. Vonderheide requested that the Manor Township Board of Supervisors rescind the entire sewer project and start over.

Clair Becker, 18 Money Hill Road, stated the plan shows two tracts of undeveloped land labeled Barley Tract 1 and Barley Tract 2. He stated he is representing the Barley Tract 1, undeveloped portion of land that is the future site of the Grace United Methodist Church. He noted that he wanted to clarify that there are two undeveloped tracts on the plan. He stated the portion for the church is 32 acres and will produce one sewer hookup. He noted that the Barley Tract 2 is 74 acres.

Linda Steffy, 180 Carol Drive, noted that her home is lower than the street level and was told she will need a special pump along with everything else and it will increase her cost another 4 to 5 thousand. She stated she can not afford this and asked the Supervisors where all the money is that the Township receives from the landfill.

Ed Shane, 104 Velma Lane, stated that as per information on the LASA Website, the DEP criteria states that if an area has mal functioning systems greater than 15% then sewer needs to go in. He did not think there was 15% mal functioning systems at this location. He also questioned water quality and how much the run off from farms contribute to the contamination. Mr. Shane again questioned where the criteria to install sewer has come from. Mr. Smith stated that DEP has mandated the Act 537 Plan and the criteria that came back from those surveys determined this location to be a needs area.

Ed Steffy, 180 Carol Drive, stated that the survey was not done door to door, but instead it was mailed and mailing does not follow state guidelines. Mr. Smith stated that the survey process that was followed was directed by DEP protocol; they also participated and guided the Township in the entire process. Mr. Smith stated that Pen Vest Funding is an entirely different process and if it would have been a recommendation from DEP to go to Pen Vest Funding then we would have done that. We followed the recommendations of DEP for the entire process.

Jeff Nace, 181 Carol Drive, stated in his opinion putting public sewer in this area will not fix the contaminated wells. He stated he feels that water in the area and wells were contaminated when they were drilled and asked the Supervisors how they plan of fixing this problem. Mr. May stated that Columbia Water is exploring bringing public water to this area at their own expense. Mr. May noted that sewer installation does not guarantee that any wells will clear up.

Jennifer Finefrock, 129 Carol Drive, stated that if a survey was mailed out to her, she probably threw it away and it was the Townships responsibility to go door to door or resend the surveys until they got more information back.

Paul Hubbs, 124 Tracy Berg Road, asked if LASA is a profit authority or a government agency. Mr. May stated LASA is a non profit business and it is a government authority. Mr. Hubbs stated in his opinion because LASA is a business they should pay for their own infrastructure the same as he would have to if it were his business.

Derick Fry, 105 Catalpa Lane, stated that he has a failing septic system and he never saw a survey. He noted that it would be cheaper for him to continue to have his system pumped as he does now, than to have sewer installed. He feels the cost that has been quoted is outrageous.

Bill Zell, 144 Bender Mill Road, stated that he has never heard any information about the Barley Tracts and asked if they pay for sewer at their properties, does that mean it will already be paid for when

the Barley properties are developed. Mr. May stated that if and when those areas are developed, they will pay the same price per hook up that everyone else has paid.

Barb Senseing, 135 Nicholas Road, asked Mr. Bauder about the results from his surveys. Mr. Bauder stated 71% are using their wells and those that say there are contaminated are using UV systems or some type of purifying system. He noted most information is about the sewer systems and 50% of the residents say they do not want the public sewer and 50% said they would take sewer if it were under \$8,000. Mr. Bauder stated that 77 % of residents have had their water tested on their own with only 25% wanting public water. Mr. Bauder said there is a statement in the 537 Plan that says the residents don't understand how much contamination there is in their wells. Mr. Bauder stated that the survey states that his septic system is inoperable and in his opinion his system, which is two tanks with large drain fields, installed in 1945, works just fine. He stated no one ever asked him and he has no idea where they got his information.

Charles Doolittle, 21 Money Hill Road, has lived there 26 years and stated that no one has ever had his well cap off, so how do they know his well is contaminated. He stated no one ever came to his house or asked him any questions.

Larry Wolcox, 115 Nicholas Road, stated he remembers when Mr. Goberman developed the area and the perk tests would not pass until they continued to try to get a result that would pass. He stated in his opinion, this may be the responsibility of the Township because they left the houses be built in an area where they knew there would be problems.

Mr. May stated the Supervisors had a meeting with LASA on May 8<sup>th</sup> to discuss options and they also had a meeting about having a centralized system for the area and that would need 5 acres of ground for a treatment plant and cost each resident approximately \$20,000. Mr. May stated they have met with LASA to discuss some of the technical details and felt they may be able to keep the cost per household to \$13,000. He also noted that Mr. Kyle, from LASA has informed them that they have come up with some was of cutting costs. He noted a redesigned pumping station saving \$340,000. Mr. May also noted that LASA has stated that if they would bid the job now, while construction is down they could possible have a savings of anywhere between 1.5 and 2.6 million dollars. He also stated that there is a possibility that they could eliminate one small pumping station at a savings of \$95,000. Mr. May stated that if all that would be possible, it could bring the price per household to \$7000 plus the \$2,750 that would bring you to almost \$10,000. Mr. May stated that Mr. Bauder and Mr. Kreider have been looking into the private decentralized sewer system and will discuss issues such as finding 5 acres of ground for the treatment plant, who maintains the system, what will DEP permit and will there need to be a homeowners association to handle everything. Mr. May stated the fact that remains is sewer will be coming to the Letort and Perth Hills area but the question is in what form. Mr. May stated he is sympathetic to the cost and could possibly take the position that the Township may have to help subsidize the cost. Mr. May stated that with LASA, the Supervisors could consider changing the ordinance to extend the time frame for sewer hook up from the usual 90 days to 3 to 5 years. LASA is also extending a loan at 0% interest for 10 to 15 years for each household.

Michael Vonderheide, 148 Nicholas Road, asked Mr. May if he got the Pen Vest information at the convention. Mr. May answered yes.

Mr. Kreider stated that a year ago when he was first presented with information on decentralized sewer systems, he was told that this could not be considered for several reasons. He stated that now, after his own research, this type system could be put in. He went over the statistics on decentralized systems and noted that DPA is recognizing these as the way of the future. Mr. Kreider explained the procedure you would go through to have a decentralized system installed. He noted a small pipe would be placed into your septic tank and then a small tank would be installed beside the existing one. You

would continue to use your septic tank but would not continue to use the drain field. Mr. Kreider explained the process the water would go through to get to the centralized area where it circulates until it is clean enough to be put back into the ground. Mr. Kreider stated he has spent a lot of time researching this system and at the last meeting he ask the residents for comments but to this date in time he stated he has not gotten one phone call from anyone. Mr. Kreider stated they are using this type system in the western states with much success and very little maintenance. Mr. Kreider stated one engineering company that does not install the system did give a price that stated for this system the cost could range from 7 to 11 thousand per household with a \$35.00 a year maintenance fee. Mr. Kreider stated that he asked Mr. Kyle from LASA, that because they are an authority, if a decentralized system were to be installed, would they be obligated to maintain it. Mr. Kreider noted that he did not get an answer. Mr. Kreider stated he would like to have an engineering firm come in and give a presentation and he feels this is the way to go.

Mr. Bauder stated that he also looked at these systems and they have a lot of them through the south central states. Mr. Bauder noted that the company he has been in contact with is going to be in this area very soon and would be glad to give a presentation. Mr. Bauder went over several things he feels is beneficial to this system like only running a 2" pipe and not having to dig up your yard. Mr. Bauder was in favor of the biological benefits also and stated he was in favor of looking into all this before they would commit anything to LASA.

Mr. May stated he would like to do whatever is best for the residents. He stated one thing for sure is that if they would go with the decentralized system there will have to be studies done and the same requirements will be there for this company that will be presented to LASA. Permit requirements will be the same no matter what decisions are made.

Mr. Bauder stated that the approximate cost for a plant for 266 homes would be a half million dollars. He noted that the worst case cost to the homeowner would be \$3,000. After some questions, Mr. Bauder stated the cost is \$3,000 per homeowner plus \$500,000 to build a treatment plant and they would also have to purchase about 5 acres of ground to put the plant on. He noted there are many questions to be answered.

Mr. Kreider stated that the 7 to 11 thousand per household that he was quoted does include the price of the plant but it does not include the ground. He felt they could find five acres in the area possibly on school property. Mr. Kreider stated that he will contact this company to give a presentation if the public will support it. They agreed to listen to the presentation. Mr. Kreider stated he will proceed.

Mr. Bauder stated that the company he was in contact with had stated that they would finance the project and the residents would pay it back in a monthly rate.

Ken Asche, 116 Spring Meadow Lane, stated that Mr. Kreider's proposal for a decentralized system had been that the homeowners would own the system and they would need an association. Mr. Asche stated that no one responded to Mr. Kreider because they did not want to own a sewer system. Mr. Asche stated that if Mr. Kreider is saying that LASA may have to own the system, then the residents may be interested. Mr. Asche stated that their concerns are a long term cost for maintenance, electric, and the replacement of things as much as installation. He feels that we need to look at all the numbers before just looking at an installation price.

Vali Cavallaro, 145 Bender Mill Road, asked Mr. Kreider if he knew how many failed systems there are and statistics on the maintenance of the centralized systems or the failure rate of the system.

Mr. Kreider stated that it is his understanding that there is very little failure and very few parts to this type of system and he stated he would like to have a representative come and explain everything. Mr. Kreider stated that if you go with this system there will not be a monthly bill. Mr. Kreider stated that he feels we need to tell LASA to stop, we need to re-evaluate the situation and look at our options.

Mr. Bauder asked Mr. May when the Act 537 Plan came out. Mr. Smith stated the Act 537 Plan is dated March 2006. Mr. Bauder read from the Act 537 Plan noting that LASA would treat this as one total package and must do it within 10 years. Mr. Bauder felt we should not rush into anything and explore the information that Mr. Kreider has. Mr. Vonderheide asked the Supervisors to stop at this point on everything and reevaluate all options before any decisions are made.

Mr. Herr stated that they did meet with Mike Kyle from LASA on the percentage rate for the financing and the total cost of everything. He felt we should give Mr. Kyle time to speak. Mr. Herr also noted that he feels there are a lot of unanswered questions about the decentralized systems that need to be answered and there may be hidden costs to that such as the land purchase. He felt that the two types of systems must be compared because a lot of LASA is a gravity flow system where the decentralized system appears to have mostly pumping involved, plus the issue of who wants the five acres of a processing plant located beside their house, who will maintain it and who will collect fees to take care of things. Mr. Herr noted that most of the decentralized systems seem to be located in the south west where they have a totally different climate and soil conditions.

Mr. Milisoc, 102 Spring Meadow Lane, stressed the fact that there are failing systems that need something done now, so we can't take too much time to decide what we need. The fact is that LASA is there, not some foreign entity, it is already in seven different townships and is proven. He noted that LASA works on funds it has collected from fees. Mr. Milisoc noted that a lot of money has already been spent on engineering and if this group decides to go another direction and LASA is not involved, would we be able to utilize their engineering studies that have already been done. He noted new studies would probably be at least another \$300,000 and would that cost have to be added into what we pay for sewer.

Mike Kyle, LASA, thanked the Supervisors for the opportunity to answer questions and clarify issues. Mr. Kyle stated that he would first like to answer Mr. Kreider's questions whether or not LASA would be obligated to maintain any other sewer system. Mr. Kyle stated that LASA has been notified by their legal council that they are not responsible and have no legal obligation to operate or maintain any systems other than their own, if Manor Township would be successful in choosing to have a decentralized system installed. Mr. Kyle did state that decentralized systems do have some advantages, however based on their engineers analysis they are not cost effective. Mr. Kyle stated that the LASA Board has made a comment that they would not be interested in operating a decentralized system to serve Perth Hills and Letort Manor. Mr. Kyle stated that the Act 537 Plan was done by Arrow Consulting, hired in 2000 – 2001 by the seven municipalities in LASA. Arrow Consulting has also completed many Act 537 Plans and this plan went through various public comment periods and PUC was present and it was approved by DEP in 2007. Mr. Kyle stated that the 537 Plan approved by DEP in 2007 did start the time clock noting that the Plan does target Perth Hills to comply within 5 years. He noted that the LASA website does list needs analysis numbers from the studies done noting the main thing was failure of on lot systems. Mr. Kyle stated LASA is not a profit organization it is a public entity or instrument of the State and noted that all revenues go back into the system operations. Mr. Kyle stated that LASA has agreed they could afford to pay up to 1/3<sup>rd</sup> the cost for Letort Manor and Perth Hills area without an increase in their present rates. He also stated that in reference to any liens placed against properties, for any loans they fund, it is a state law that any public authority would automatically create a lien against the property to secure the payment. Mr. Kyle stated that they have been advised that this type of lien would not affect a homeowner's credit rating but it would affect the amount you could borrow on your property. Mr. Kyle also stated that LASA would be paying for any grinder pumps that would be required but the property owner would own and maintain the pump.

Dr. Foster asked Mr. Kyle about an April 04, 2004 meeting and questioned 350 surveys that were mailed out with a 50% return. She wanted to know where the surveys are and why they are not public

record. Mr. Kyle stated that the results from the Act 537 Plan are on record. Ms. Foster asked Mr. Kyle what would happen if they do not comply with the Act 537 Plan within the five years. Mr. Kyle stated the Act 537 Plan is not LASA's plan and document. He stated that DEP will use the tools that they have to compel the Township to implement the plan that is required by law.

Mr. May stated that the Act 537 Plan is a public document, it was on the agenda for public meetings and it was adopted at a public meeting. Ms Foster expressed concerns that the surveys stated they were for the Act 537 Plan and she felt they should have specifically stated they were for sewer information, therefore she felt it was not a credible study and survey. Mr. Kyle stated that according to DEP they had an excellent response from the surveys. Ms. Foster did not agree and felt someone is lying. There were concerns that the surveys did not have the residents name on it and now LASA sends things with names. Mr. Kyle again stated that the survey was done by Arrow Consulting and not LASA. He stated recently LASA was asked to send an update and they did obtain a mailing list to do that and help with communication but they were not involved with the original survey nor was Manor Township.

Mr. Herr stated he lives in a rural part of the Township and he did fill out a survey. He stated that the survey was mailed to every homeowner in Manor Township a few years ago.

Ray Tshudy, 108 Hollyann, asked Mr. Herr if he was going to be connecting to a sewer system. Mr. Herr stated no, he is not in an area where sewer would be available. Mr. Tshudy stated that he never got a survey and if he did he probably threw it in the trash. Mr. Herr stated that he specifically remembers that the survey asked when his system was put in and general information for his household. He stated people in his neighborhood also received a survey. Mr. Tshudy stated that Arrow Consulting says there was a 50% return yet he does not see anyone here that said they got the survey. Mr. Bauder stated that in 2001 he got the survey and his neighbors got the survey because they asked him about it. He noted he was not a supervisor at the time but he does remember it being sent out in 2001 and he did respond to it.

Stephen Williams, 104 Spring Meadow Lane, asked if DEP has ever given an extension to the 5 years for installing sewers and could we petition them to extend it to 10 years. The Board stated they were not aware of any extensions. Mr. Williams stated that the study says it benefits the people that live in these two neighborhoods but he feels this really benefits all of Manor Township because if more houses go in as a result of the sewer, more tax money comes in and this benefits all of Manor Township. Mr. Williams stated that if it does benefit the entire Township than shouldn't the Township pay for the sewer to go in. Mr. Williams suggested that the Supervisors raise taxes for a few years to pay for this then set taxes back after this is paid for. Mr. Bauder stated the Township taxes are .78 mills and went over the amounts that we actually get from real estate taxes. Mr. Williams asked the Supervisors if they are going to raise taxes to help put sewer in Letort Manor and Perth Hills no matter what plan they choose to go with. Mr. May stated that they were not sure.

Eric Steffy, 180 Carol Drive, asked if LASA just purchased Manheim Township's sewer system and what they paid for it. Mr. Kyle stated that LASA did purchase the system and they paid 24 million for it, noting they purchased the assets plus 13,000 customers.

Mr. Frank Hoke, 110 Velma Lane, stated that he feels the Letort Elementary school should be part of this. Mr. Kyle stated that the school will be figured into the total cost of the system. Mr. Hoke asked if the proposed church will be one unit. Mr. Kyle stated that they are looking at all of these issues.

Dave Milisoc, 102 Spring Meadow Lane, stated that since there seems to be such an issue with the survey results, is it possible to get a copy of each one returned. Mr. Smith stated they will contact Arrow Consulting for a copy of each but added that the Township must be careful not to violate and privacy rights.

Bill Zell, 144 Bender Mill Road, felt there were a lot of issues brought up tonight that the Supervisors did not have any answers for.

Melissa Rugh, 103 Catalpa Lane, noted that they have a group representing residents and have 39 questions. She stated their first question is: What are the Supervisors doing to try to reduce the cost for each homeowner that this affects. She asked about a bond or if the Landfill tipping fees could help out. Mr. May stated they need to know what the cost will be when it comes in with the decentralized systems and a definite price from LASA. They will determine from there what they can do to try to help reduce the cost and see if an extended time frame may be needed. Ms Rugh asked the Supervisors how quickly they could set up another meeting. Mr. Bauder went over the time frame for the company he has been in contact with. There were questions about West Hempfield in the process of hooking up an area to Columbia Sewer system and some residents asked why we could not get Columbia to bid. Mr. Smith explained that West Hempfield is serviced by Columbia Sewer and we are not in their service area.

Someone asked Mr. Bauder why he does not have to correct his septic system since the survey reports that his system is failing. Mr. Bauder stated he believes it is invalid data.

Melissa Rugh asked about the hook up fees and the impact fees. Mr. Breneman stated that all the residents will be paying the same fee for that. Comments from the audience included that if LASA can purchase Manheim's system for 24 million, then why can't they purchase ours. Mr. May stated we do not have any system and we are discussing the possibility of installing one.

Mr. Asche, 116 Spring Meadow Lane, asked if there will be fees from the Township to do the work. Mr. Smith stated that all that would be at the discretion of the Supervisors to work out. There were several questions on how a family that could not pay may possibly receive help and any possible loans.

Ms Rugh stated that they are interested in moving forward with all this in a timely manner. It was discussed that they would email and go from there.

Someone asked what happened to all the money from the landfill deals. Mr. Bauder stated the Capital Reserve Fund has money building in it but those funds are what is used for donations to the fire companies, building projects, some road projects, police, or public works and used in many ways. Mr. Bauder stated that there is an annual audit that would show where all that money goes.

There was a question about a committee and a survey that was done a few years back for a recreation center or a community pool. Mr. Smith stated that the committee was resolved because there was not enough interest in the Township for those things at that time.

Ms Rugh asked again if they could set a time frame for meetings to discuss the two systems to solve this problem. After some discussion, Mr. Bauder stated he feels there is no rush for this.

Mr. Vonderheide, 148 Nicholas Road, stated that he has asked that the Supervisors rescind all this and start over, he stated Mr. Bauder says take our time, no rush and Mr. May says we need to move on to save money due to the construction slump. He stated this is all the more reason to stop everything and start over and reevaluate all options.

After several more comments, the Supervisors agreed that they need to be in contact with a few things and set up some dates for meetings. Mr. Breneman made a motion to adjourn the meeting and schedule a date in the future for discussion. Mr. Bauder seconded the motion, which carried unanimously. Meeting adjourned at 9:45 PM.

Respectfully submitted,

Barry Smith, Secretary-Treasurer

## Manor Township Supervisors Meeting

Monday, June 2, 2008

Time: 7:30 P.M.

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

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

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

Visitors present: See attached.

Minutes – Mr. May advised there were two sets of minutes to be approved. There were minutes from May 5<sup>th</sup> regular meeting and Mr. Kreider made a motion to approve the minutes. Mr. Herr seconded the motion and the motion carried with Mr. Breneman abstaining. There were minutes from the special meeting on May 19<sup>th</sup> held at the Manor Middle School. Mr. Herr made a motion to approve the May 19<sup>th</sup> minutes. Mr. Breneman seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. Kreider expressed concern regarding the lack of earned income tax. Mr. Kreider indicated they have taken in \$441,504 and it should be around \$835,000 at this time of year. Mr. Kreider feels they will have to take a strong look at the budget they are operating under to see if there is any place they can save some revenues. Mr. Breneman asked Mr. Strohecker when the payments are received and Mr. Breneman was advised they are quarterly payments. Mr. Strohecker advised only one payment has been received so far and the next one should be received this month. Mr. Bauder asked if the first payment is typically low. Mr. Strohecker advised the way it is calculated has changed. They now calculate based on a budget number so that \$441,000 you see in the report will come in four times through out this year. The second payment will be this month and they will reconcile it at the end of the year. Mr. Breneman stated the number they are seeing is a 25% payment so they are at 22% and next month it will show probably in the 40's and Mr. Strohecker advised that was correct. Mr. Bauder stated the real estate tax is \$100,000 off budget but the deadline for the actual has not passed yet. Mr. Strohecker advised they would hit the number by the end of the year. Mr. Bauder asked if the real estate transfer tax is up to date and Mr. Strohecker advised it is. Mr. Breneman made a motion to approve the financial report. Mr. Kreider seconded the motion and the motion carried unanimously.

### Business From the Floor

Mr. May stated they had a special meeting on May 19<sup>th</sup> at the Manor Middle School and stated that if the comments were made at that meeting they do not need to be made again.

David Milisock, 102 Spring Meadow Lane, stated there were several incidents in his neighborhood in the last several months with one incident involving his son. Mr. Milisock congratulated the Chief on the job the police are doing. He stated they handle the nuisance

incidents in a way that does not escalate the situation. Mr. Milisock stated they need to support the Chief with his new initiative with “Broken Windows Policies” and that the Department be provided with funds for the training so that when they are at a crime scene they know how to secure the scene.

Mr. Milisock stated regarding the sewer there was one incident where there was a lot of abuse from the floor that he found unnecessary. Mr. Milisock stated the second thing was Stephen William at 104 had a perfect scenario when he indicated it is one domestic beer a week to float a bond and pay for the infrastructure with the resident paying from the house to the street. Mr. Milisock stated he had charts of where the pipes will be located and he will post the charts on the Manor Sewer web site so everyone knows how much footage they will have.

Melissa Rugh, 103 Catalpa Lane – Mr. May advised her he had her questions as well as her letter of May 29<sup>th</sup>. Ms. Rugh asked how those questions would be answered. Mr. May stated he believed Mr. Smith would answer most of the questions but there were some questions that do not lend themselves to answer. Mr. Smith advised he would try to answer technical questions relative to LASA and management issues and gave some examples of questions he could and could not answer. Mr. May stated he senses the urgency of people wanting to know answers but they can only go so fast. They do not have the studies of the ECO study so it will be hard to say what they would or would not be willing to do until they have the comparisons. Mr. May advised he stated at the May 19<sup>th</sup> meeting he would be in favor of somehow subsidizing some of this cost over several years whether it would be a bond or out of the general fund. Ms. Rugh asked the status of the studies for the decentralized systems. Mr. May stated they indicated 30 days after they received the paperwork from Mr. Smith they would be able to give them data. Mr. Smith advised he spoke to Mr. Dana this afternoon and he has received the Act 537 Study. He is going through that data and trying to determine accuracy regarding the soils, rock formation, and available land. Mr. Smith stated for a contractor or engineer to give a better-informed estimate, they need to do some field study. To narrow down the cost to make it as creditable as possible, either type of system requires some site identification such as borings. Mr. Kreider stated Mr. Bauder suggested putting a freeze on the entire project and Mr. Kreider is in favor of doing that. Mr. Kreider is strongly supporting stopping where they are until they get good information and he does not feel at this point they have enough information to even say what the Township is going to do. Mr. May agrees to the extent that he mentioned in the May 19<sup>th</sup> meeting he is concerned that they get good bids on digging but it is stopped dead because they have not had any information. It will remain stopped dead whether they want to or not until they have the information. Mr. Kreider stated it seems the general public is not aware of that and they need to be made aware that it is stopped. Mr. Bauder stated he received some rough estimates from another company that does similar thing to ECO Systems and the estimates are based on systems the company has put in old neighborhoods. They had estimates of \$6 to \$7.00 a foot for putting the lines in the right-of-way. The advantage is you do not have to dig up the street except where you would cross the road. They had an estimate of \$1,500 a home for the water pump and the line coming from the pump to the street is only 1 ¼ inch line that is put in with a small trencher. It is much less costly to go from your house to the street. Mr. Bauder stated the rough estimates look like it would be a lot less costly but there are two problems. Where do you put the system, who owns it and do you have enough space to discharge the effluent. Those are three big problems that must be resolved before they can discuss whether it is really feasible. Ms. Rugh asked Mr. Bauder if he is still in conversation with his company and Mr. Bauder stated he is. Mr. Bauder stated he believes the company Mr.

Kreider contacted is better for this area. The people Mr. Bauder contacted area from the south central states but he thinks ECO Systems has a more widely distributed number of offices. Mr. Smith advised in terms of a time line he could see ECO Systems getting back to the Township in 2 to 4 weeks with an estimate. LASA is continuing to work with Rettew on the preliminary engineering and until those two things are completed they cannot narrow down a number other than speculation. Ms. Rugh asked how the homeowners would be kept informed of the progress with the companies. Mr. May advised it was stated at their May 19<sup>th</sup> meeting that when they have new information they would reconvene. Mr. Smith advised on prior occasions letters were sent out. The past meeting was announced at the Supervisor's meeting, signs were placed at strategic locations and the meeting was placed on the web site. Mr. Smith stated he is concerned about a mailing list missing a family that has either moved in or out of the development or a letter lost in the mail. Mr. Smith advised, if it is agreeable, they will use the web site and posting of signs to notify of any meetings that are scheduled.

William Zell, 144 Bender Mill Road, stated he has had his house up for sale for about 2 to 3 months and has had people looking at his house but he is unable to give them an answer as to what he must leave in his house towards the sewerage. He stated with everything on hold, it is causing him not to be able to sell his house. He wants to know what kind of answer the Supervisors have for him. Mr. May advised they will get answers as fast as they can. Mr. Bauder stated the only estimate they have is LASA's estimate of \$16,000 and he would leave \$16,000 in escrow and that can be adjusted at the time of sale.

Mr. Milisock advised he has done some research on the non-LASA type systems and he thinks two items need to be added as major concerns. Mr. Milisock stated sometimes the systems go 15 to 25 years before they need rebuilt and the figures they give in the studies are extremely low. They do not consider 15 years later whoever owns the system must come up with funds to rebuilding the main centralized system. The other issue is like at Eden where there was limestone washed away and a giant sinkhole and over \$100,000 to repair that. If something like that happens in a centralized system, who has the responsibility of paying that repair. Currently, with the LASA system they have the buffering in to take care of something like that. As citizens, if they have a decentralized system they need to have that same level of protection down the road.

Ray Dyer, 139 Nicholas Road, asked if they are being told by the Board that this is officially on hold or in a sense on hold. If it is officially on hold, he would like to hear a motion that this project be put on hold. Mr. Smith to clarify comments stated it is one thing to wait until information becomes available because of the various tasks being performed. It is an entirely different issue to cease and desist until a later date any activity. Mr. May stated they need to continue the studies LASA is doing and continue the research. Mr. May stated it is not on hold by motion and when enough information comes in that they can move ahead they will do that. Mr. Dyer asked who makes a decision if a bond is floated or taxes are raised. Mr. Dyer was advised the Supervisors would make that decision. Mr. Dyer asked if they can trust LASA and how did LASA come up with their figure. Mr. Smith advised it is a construction estimate with the consulting firm that assisted in the development of Act 537. Mr. May stated he sincerely believes LASA can be trusted.

Ken Ashe, 116 Spring Meadow Lane, commented they had submitted questions and he realizes they are trying to answer them. He does not care if they have to answer them at different times but to him no news is bad news. If they can give the residents some feed back on any of

the questions they asked to show things are happening, that is the response they need from the Supervisors. Mr. May stated they will do the best they can.

Scott Haverstick, 1970 Water Street, stated he suspects the Supervisors could go a long way in moving the project along if they were to philosophically decide regardless whether they have a local or join LASA that the Township will in fact subsidize a portion of the cost to the homeowners. They all live in the Township and some benefit from some projects and some benefit from others but he would like to think at the end of the day everybody participates more or less equally. Mr. Haverstick stated the people must understand they bought homes without sewers and some paid for homes that have sewer so they may have to share in part of the costs. He feels it is a legitimate function of government to provide health and safety and this is a health issue. If they could as a Board state that they will in fact make some kind of financial commitment regardless of where the project goes, they may go a long way in unruffling feathers. Mr. May stated he feels Mr. Haverstick made a good point and he will be having discussions one on one with the other Supervisors and get a sense of how they feel about it so that when they have it on the agenda they can make that philosophical decision and make an announcement.

#### Old Business

Mr. May advised on June 11 and 12 Manor Township is hosting the Secretary of DCNR and they are going to look at the rail trail, look at the truss bridge and go up on the bridge. Mr. May advised this is a big step forward in terms of their applying for funds towards this project. The individual will be here for two days at the Safe Harbor Village, up on the truss bridge and on the rail trail with about 20 of his people. Mr. May asked Mr. Haverstick to join them on June 12<sup>th</sup> because Mr. May is unable to be there. Mr. Smith stated they must make this manageable in terms of numbers.

Mr. Breneman advised he and Mr. Herr were to have a meeting this Friday with the Commissioners but has been postponed until July 11<sup>th</sup> regarding the Creek Road bridge.

Mr. Breneman advised they are progressing with the Emergency Task Force for the fire companies and the next meeting is June 5<sup>th</sup>. It is an open meeting held at the Manor Township Maintenance Building.

#### New Business

Draft Revised Subdivision Land Development Ordinance – Mr. May stated all the deletions are lineouts and all the insertions are underlined. Mr. May advised he has not been able to read the whole thing. Mr. May indicated he did find some grammatical errors such as they crossed out the “name and address of the owner of the tract or authorized agent” and they crossed out “or authorized” and they inserted “or authorized” so that cannot be advertised with it that way. Mr. Breneman stated he needs some time to sit down and look at it. Mr. May stated he had attended some of the meetings and many of the changes he recognized as included. Mr. Smith suggested as they go through the ordinance to write down questions or concerns and funnel them to Mr. Smith who will go back to Rettew and get answers. Mr. Smith advised they want to move forward in the process because it will need to be advertised. It will go back to the Planning Commission and come back to the Supervisors but they want to give the Supervisors the amount of time that is needed to go through this so they are not back at the table again within a matter of a month looking at changes that may have been picked up. It was agreed they would be able to get through it by the next meeting. Mr. Bauder advised he found mistakes in the Table of Contents but he found nothing substantial.

Draft Comprehensive Recreation and Open Space Study – Mr. May advised the maps are not included in the packet but they have seen the maps. Mr. May agreed with Mr. Kreider that this was a good job and congratulated Mr. Laudien on the study. Mr. Kreider indicated he was at some of the meetings of the Park and Recreation Board and there were a lot of tough decisions made and he feels they should be commended. Mr. Breneman commented that Manor Church was not updated and feels it would be good to get it in. Mr. May stated he is ready to see this advertised and the entire Board agreed.

SALDO Breneman/Zimmerman Subdivision Plan & Waiver/Modification Requests – Mr. May advised they have a letter from the Mr. Ott with the recommendations of the Planning Commission and the conditions set forth in Rettew letter of May 6, 2008. Mr. Breneman advised this applicant is no relation to him. Mr. Smith advised that staff is supportive of Rettew's recommendation for waivers, modifications and approval. Jeff Burkhart from David Miller Associates stated they have received the planning module. Mr. Burkhart stated they made a minor adjustment per recommendations by the Planning Commission. Mr. May made a motion to approve the final subdivision plan as submitted subject to the requested waivers, modifications and comments from Rettew in their letter of May 6<sup>th</sup> which includes scale exceptions and the concrete monuments exception and the comments on the subdivision. Mr. Bauder seconded the motion and the motion carried unanimously.

Bids – Mr. Smith advised the bids were opened for three projects. The first bid result is for the LED modules for the traffic signals. They received three separate bids with Signal Service coming in the lowest at \$18,450.00; Republic ITS, Inc. \$18,930.00; and C.M.High, Inc. \$24,862.00. Mr. Smith and Mr. Harris did an extensive review of the proposals and they find Signal Service to be the lowest qualified bidder. Mr. Smith stated he feels each bid should be done individually. Mr. Breneman made a motion to award the bid to Signal Service Inc. Mr. Kreider asked what the savings per year is with LED versus what they have presently. Mr. Smith stated he did not know that without checking. Mr. Smith stated this includes green, red and amber that is what the Board requested. Mr. Smith stated he recalls they are looking at a three-year payoff. Mr. Herr asked the amount budget and he was advised the mid twenties. Mr. Bauder questioned what signals are included and Mr. Smith listed the intersections stating they are also doing the advance warning on Millersville Road and the traffic warning at Central Manor. Mr. Bauder asked how the Township is billed for the power for the traffic signals. Mr. Smith advised they are metered. Mr. Huber asked if it was advertised for competitive bid and advertised there was public opening of the bids. Mr. Smith advised both were advertised. Mr. Kreider advised after the LED's are installed they will be brighter and with the sun at your back they will be much brighter and less inference from the sunlight. Mr. May stated they have a motion by Mr. Breneman and asked for a second. Mr. Kreider seconded the motion and the motion carried unanimously.

Bowling Curb Replacement – Mr. Smith advised they have three-bid proposal. Doug Lamb Construction came in at \$24,865.00; D. H. Funk & Sons, LLC \$36,900.64; Miller Warner Construction \$38,385.00. Mr. Harris and Mr. Smith reviewed the bids and find Doug Lamb to be the lowest responsible bid. Mr. May asked if Mr. Smith had experience with Doug Lamb and Mr. Smith advised they have not done a project for the Township but they have done projects in the County. Mr. Herr stated they did a project in Millersville that involved installing handicap access in the area around the College. Mr. Breneman asked what the budget amount was on this and Mr. Harris advised \$21,000. Mr. Smith advised there would have been competitive bids but D.H. Funk and Miller Warner actually came in with their projection of over

\$25,000 that then threw them into prevailing wage. Doug Lamb came in slightly under that probably because he will do the concrete work. Mr. Herr made a motion to award the bid to Doug Lamb Construction, Inc. Mr. Kreider seconded the motion and the motion carried unanimously.

Administration Building Painting – Mr. Smith advised they put out a bid for painting the exterior woodwork which is showing significant signs of wear. The bids came in Mr. Handyman \$7,500.00; George Wagner \$11,961.00; S. & T Painting, Inc. \$15,700.00. Mr. Smith advised they had asked the bidders for three references so they could look at work or talk to the companies who utilized these vendors. They did not find anyone who had anything negative to say about them. Mr. Smith advised Mr. Handyman is a national organization. Mr. Harris did some extensive research on Mr. Handyman. They have 16 employees and have done work for the City. Mr. Smith and Mr. Harris looked at that work and Mr. Harris has talked to some other people who used the company. They have not seen anything that could disqualify this company as irresponsible. Mr. Breneman questioned the quality of the paint they use and Mr. Harris advised they specified the paint to be used. Mr. Bauder made a motion to award the contract to Mr. Handyman. Mr. Breneman seconded the motion and the motion carried unanimously.

Manor Township Police Association Request for Starting Date Change – Mr. May advised they had a request to move up the starting date for the 12 hour shift that was negotiated to start in January. Mr. Herr stated when this was negotiated they were all in agreement with the start date and he is not sure why the request for an early start date. Mr. Breneman had concern regarding the finance end and what it would put on Mr. Strohecker to make the change in the starting date. Mr. Bauder questioned if this would affect the paid sick time and Mr. Strohecker stated it does not. Mr. Bauder stated people already have scheduled time off and that would have to be blended into the bonus time they get under the 12-hour shift. Mr. Bauder feels that would be a logistic problem. Mr. Smith advised they could work through the issues but the question is whether this is a necessity or not. Mr. Smith advised it could create some issues relative to leave. Mr. May stated he would rather not be pressed into making these changes when it was scheduled for January 1 and that gives staff ample time to do in a smooth fashion whereas if it was moved up it might not be so smooth. Mr. Breneman agreed with Mr. May as well as the other Supervisors. Mr. May stated the starting date will remain as negotiated.

Mongeau/Costelo Fawn Hill Project Request for Release of Letter of Credit – Mr. Smith advised this is the project known as Fawn Hill off of Owl Bridge Road. Mr. Smith reviewed the finalization of the project. They have met their obligations and have exceeded the time frame in which they needed to hold the letter of credit, therefore, Mr. Smith recommends the Board approve the release of the letter of credit. Mr. May questioned a letter from Sovereign indicating they would renew the letter of credit whether the Township wanted it or not. Mr. Bauder made a motion to release the letter of credit back to Sovereign Bank. Mr. Breneman seconded the motion and the motion carried unanimously.

Conestoga Country Club Fireworks Permit Application - They are asking for forgiveness because they did not give 90 days notice. Mr. Smith advised there was a resident in attendance tonight who also was not aware of firework ordinance. The individual is Campbell Consultant from 20 Herr Street, Washington Boro who has also submitted an application. Mr. May stated this is the first year for the change and he would be inclined to approve the permits. Mr. Breneman was in agreement pointing out the applications have been submitted a month ahead of time. Mr. Kreider pointed out the reason for the time was to place it in the newsletter. Mr. Smith advised it was so there would be ample public notice. Mr. May noted the application from

the Conestoga Country Club list the event date as July 5 with a rain date of July 6. Mr. Smith advised the Campbell event is also July 5. Mr. Bauder made a motion that they approve the applications for Conestoga Country Club and Campbell Consultants regarding their application. Mark Campbell stated they normally have the event the first Saturday in July every year and he apologizes for not understanding the change in the ordinance. Mr. Campbell stated they have an all day event that includes a pig roast. Mr. Breneman seconded the motion and the motion carried unanimously.

#### Correspondence

Mr. Smith advised the only training application is a request from Mike Dickert who would like permission for he and Dan Funk to attend the Penn State Extension Turf School put on by the Penn State Extension. Both Mr. Dickert and Mr. Funk will receive the appropriate credits basically for pesticide management. Mr. May pointed out it is being held in Elizabethtown. Mr. Breneman made a motion to approve request. Mr. Bauder seconded the motion and the motion carried unanimously.

#### Traffic Commission

Chief Graeff stated the Traffic Commission held their meeting on May 28. They had Old Business regarding stop signs on Buttonwood Lane at Manor Ridge Drive and Temple Avenue. Off Gardner did traffic study and recommend that stop signs be posted on either end of Buttonwood Lane. The Commission agreed and a motion was made to approve the posting of stop signs at each end of Buttonwood Lane at Manor Ridge Drive and Temple Avenue.

#### Police Report

Chief Graeff stated the report stands as submitted. Chief Graeff noted increased call volume as springtime and summer they usually increase. They had 331 complaints for the month of May and 1,436 for the year; 1,215 telephone and radio calls total of 5,903 for the year; 29 traffic accidents for the month and 142 for the year; traffic arrests 171 and 873 for the year; criminal arrests 29 and 150 for the year; juvenile arrests 7 and 24 for the year.

Mr. Kreider commented that he had called the Chief about a situation in his neighborhood. Mr. Kreider had two individuals come to his door asking to check their water. Mr. Kreider stated they were driving a red vehicle. Mr. Kreider stated he wanted people to be aware of the incident. Mr. Kreider stated there were also several burglaries in his neighborhood.

#### Road Foreman's Report

Mr. Harris advised the month of June his department would continue preparing the roads for oil and chip and the paving. In place paving is tentatively scheduled for the week of June 16<sup>th</sup>.

#### Parks and Ground Maintenance Report

Mr. Dickert reported there is nothing out of the ordinary. They are doing regular maintenance. They did have a minor street light fire at Greider Park due to a bird building nest but that is PP&L's responsibility.

#### Assistant Manager's Report

Mr. Laudien stated the only thing to note was the Comprehensive Park and Open Space study that was already covered. They talked about the submission for the park and recreation trail grant that was fully submitted after the resolution. Mr. Harris and Mr. Laudien are about 90% through submitting for a grant for the leaf picker.

#### Manager's Report

Mr. Smith addressed the Funk's Zoning Amendment stating the Supervisors indicated based on the Planning Commission's notations to the Supervisors they would like Mr. Smith to go forward and advertise the amendment as it has been presented. Mr. Smith is currently waiting for comment back from the LCPC that is required before it is advertised. When that letter is received, the amendment will be advertised as directed. Mr. Smith mentioned that the Chief Graeff, Mr. May and himself met with Tom Goodman, the Solicitor, to draft a noise ordinance based on the input from the three of them that will be circulated. Previously the Board appointed Matt Crème as special council for Res Judicata issue. Mr. Smith briefly met with Mr. Crème today and formally handed the file that was handled by Jack Kenneff to Mr. Crème. Mr. Smith advised he and Mr. Crème would make an appearance before Judge Miller in mid to late July at which time they will hear what direction she has on the matter.

David Miller from David Miller Associates questioned the text amendment going back to the LCPC again. Mr. Smith stated that is happening because the original one did not have the height included.

Mr. Huber questioned the appointment of Matt Crème and he was advised Mr. Crème was appointed as special council for the Res Judicata case regarding Wal-Mart versus Manor Township.

#### Building Permit Report

Mr. Kreider read the Building Permit Report noting the number of permits issued in May 2008 is 24 compared to last year of 60; number of permits issued year to date in 2008 is 104 compared to 188 last year; dollar value of permits issued in May of 2008 is \$2,584,076; dollar value of permits issued year to date is \$8,014,537 compared to dollar value of permits issued year to date in 2007 is \$11,736,721.

Mr. Breneman made a motion to adjourn. Mr. Kreider seconded the motion and the motion carried unanimously. Meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Barry L Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, July 7, 2008

Time: 7:30 P.M.

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

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

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

Visitors Present: See attached.

Minutes - Mr. May indicated there was one correction. Near the bottom of Page 2 the sentence that began "Mr. Bauder stated the rough estimates" the word lost should be lot. Mr. Breneman made a motion to approve the minutes with the correction. Mr. Herr seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. May pointed out that gas and diesel are at about 80% of budget for the year. Mr. Smith advised they are trying to do what they can to manage it. Mr. Bauder advised there are four items that look like they will not make budget by a wide margin. The categories are the real estate transfer tax, interest, return on funds, and the SALDO Administrative Fees. Mr. Bauder indicated all issues relating to permits look like they will not make budget. Mr. Breneman stated last month there was a concern regarding earned income tax and now they are 55% and they are halfway through the year. Mr. Kreider made a motion to approve the financial report. Mr. Bauder seconded the motion and the motion carried unanimously

### Business From The Floor

Joyce Smedley, 36 Cedar Court, stated they live in a home that overlooks the Little Conestoga Creek. She expressed concerns regarding pollution of the creek. There is natural debris and trash that comes down the stream and over the years it has been collecting which is beginning to create a blockage. It is questionable whether boaters and kayakers would be able to get through. Ms. Smedley feels the blockage is a hazard and breeding ground for mosquitoes. She would like something to be put in the budget to clean up the stream. Ms. Smedley indicated they had talked to the Township Office last year and they were left under the impression something would be done about the creek. Mr. Kreider asked if it is construction debris and Ms. Smedley advised it is not. Mr. Bauder questioned if the Public Works Department could look at the problem and see if it is feasible for them to clean the stream. Mr. Smith stated one of the issues regarding the land is that it is only access through private property and right-of-way would have to be gained. Mr. May recommended it be looked at and see what could be done to correct the problem.

Peter O'Donaghue, Hershey Mill Road, expressed concerns regarding the wetlands. Mr. O'Donaghue stated the developer owns the wetlands and he assumes that the way the developer took care of the weed issue has been addressed. The way the weed issue was addressed was not in accordance with how wetlands should be addressed. The developers own information to the residents in Millstone states "no disturbance shall occur within the boundaries of the wetlands" yet

that was not addressed correctly when the developer took away the thistles. Mr. Smith advised there are several legislative matters to deal with. There is protection of the wetlands but there is also a weed ordinance and there are also recognized nuisance plant materials that sometime circumvent that. Mr. Smith gave an example stating they had to spray purple loosestrife by order of the State in the Woods Edge wetlands. The landowner was asked to remove the thistles but as you can see it looks like they clear-cut. Mr. Smith stated they are trying to protect the wetlands and avoid the spread of noxious weeds. Mr. O'Donaghue asked if a permit is needed to dig out the wetlands. Mr. Smith advised any activity in wetlands is under the jurisdiction of the Army Core of Engineers. Mr. O'Donaghue advised the developer indicated they had permission from Mr. Smith. Mr. Smith advised he did not give anyone permission to disturb the wetlands. Mr. Smith advised if stone was placed in their storm water facilities that would be a different story. Mr. O'Donaghue asked if the developer could be asked to put up signs regarding the wetlands. Mr. Smith advised they could make a formal appeal to the developer. Mr. O'Donaghue stated at the 2006 Planning Commission meeting they brought up the issue that kids can go through the storm drains and there is a safety issue. No safety measures have been taken regarding the storm drains. Mr. O'Donaghue asked if regarding streetlights are the developments mandated to have the number of streetlights that are erected. He stated it looks like a concrete village in a rural area. Mr. Bauder advised he was out at night and looked at the situation and he feels it is over lit. Mr. Bauder feels it is light pollution. Mr. Bauder advised he had addressed the issue with Mr. Kreider. Mr. Kreider indicated PP&L owns the streetlights and the Township rents them, which is a 10-year lease. If the Township wants to remove them before that 10-year period there is quite a penalty. Mr. Kreider had asked management to compare the penalty to the usage for 10 years. Mr. Smith advised when they last talked they were not sure if it was a street issue or the whole development. If it is defined what they want looked at, Mr. Smith will contact Mr. Jones at PP&L and find out the stipulations. Mr. Kreider stated the light issue has been going on for a long time. If there is a light at each residence on a post, why are more needed. Those lights were placed under the old system. Mr. Bauder advised this was in the planning and under the County approval. This was a County Ordinance and they complied with it. Mr. O'Donaghue advised the Supervisors are in authority and he would like to see them make a proactive effort because the residents can not do anything but come to the meeting and tell the Supervisors. Mr. O'Donaghue would like the citizens to be considered because the developers will not look out for the citizens. Mr. Bauder apologized if they have not looked at the issues. Mr. O'Donaghue stated they could be told it was not their Township it was the previous Township and that is okay because they cannot get those guys back. Mr. O'Donaghue stated this group are the ones in authority. Mr. Bauder stated they have a new ordinance that stipulates a light at every house and not in the street so this problem has been corrected.

Melissa Rugh, 103 Catalpa Lane, advised she received a few letters from DEP addressing the issues of upgrading their current sewer system and proceeded to read from the letters. One item in the letter advised Governor Rendall recently sign recently signed an executive order to create a task force to investigate the issue of long term financing for water infrastructure including cost for upgrading wastewater systems. Ms. Rugh referred to three out of ten bullet points that were in the letter. Ms. Rugh indicated the Governor assigned a task force to study the needs for infrastructure sustainability within the Commonwealth. They expect funding assistance in some form may be provided to municipalities and authorities in the near future. Ms. Rugh asked if based on the statements from DEP would it be beneficial to them to consider putting a hold on the project until they see what kind of funding will be available. Mr. May asked if the letter indicates when the task force must file their report and Ms. Rugh advised there is no time indicated in the letter. Mr.

Bauder stated when the plan is approved by the Township and DEP they are obligated to enforce it. Mr. Bauder asked if DEP has approved the plan and Mr. Smith stated yes. Mr. Bauder stated they have not approved all the details nor have they passed an ordinance requiring septic tank pump out. Mr. Bauder asked when they approved it as Supervisors. Mr. Smith advised the Township adopted the plan July 5, 2006. Mr. Smith advised DEP approved it June 13, 2007. Mr. Bauder questioned how DEP could approve something that was not defined. Mr. Smith advised it is a plan and the details are to be worked out to achieve the aspects of the plan. Mr. Smith advised they committed and passed a Resolution to provide for on lot septic management. The detail of that process is to be developed by the Township to achieve the goals of the plan. The Act 537 plan for sewer extensions is very general in nature and does not have the level of detail that will be needed. Mr. Kreider indicated he voted for the plan but since that time he saw omissions and he thinks the plan was flawed. The decentralized system was never evaluated and if it was never given as part of the study. Mr. Kreider is totally opposed at this point to giving any money to anybody. Mr. Kreider wants the whole project stopped, start over, and do it right. Mr. Bauder had a question on Page EII of the plan and read from the page. Mr. Bauder indicated on this page it refers to within 10 years and he hears people talking 5 years but has no documentation a 5-year plan was ever approved. Mr. Bauder indicated it refers to one project and one cost. West Hempfield has pulled out so they approved this and then with drew and asked if our part of the plan can be amended and gets subsequent approval for the amendment. In answer to Mr. Bauder's questions, Mr. Smith stated regarding the executive summary that is EII and throughout the course of the document it refers to Manor Township portion of this as a 5 year plan which is on the previous page to the one Mr. Bauder read. In this case, when it is talking about the overall plan that involves all the communities that have extensions they term it within 10 years. Perth Hills and Letort Manor on I152 is in the 5-year plan and you will see that correspondingly throughout Phase 2 of the plan. Raintree that is West Hempfield and Lake Grubb were in a 10-year plan as developed by the committee and DEP. Those were not arbitrary numbers they were based on their criteria. Mr. Bauder's second question was could they amend something and have the amendment approved by DEP and Mr. Smith stated the answer is yes. They would go to DEP with a proposal to amend their plan. Mr. Bauder advised his other question was West Hempfield pulling out. Mr. Smith stated he is proposing West Hempfield went to DEP and asked for that. Mr. Smith stated West Hempfield moved the project up on the time line and in essence they are still compliant. If West Hempfield gets out past 10 years they are no longer compliant. Ms. Rugh indicated another comment in the letter stated because of the extended time to implement the cost are usually more than originally predicted and that letter was dated June 17 2008. There was concern with putting a hold on the project because of bids coming in low. Ms. Rugh indicated an excavator she talked to is bidding up to 4% lower on their bids at this time. On a nine million dollar estimate you are looking at 571 homes saving about \$630 per house to move forward with this project because bids are coming in low. She ask if it would not be more beneficial to put this on hold and see what funding is coming because the savings could be greater than \$630.

Ken Asche, 116 Spring Meadow Lane, indicated he also received a letter from DEP. Mr. Asche read from the letter that indicated there are financial assistance programs that can be utilized to minimize the cost. Mr. Asche would like to see a list showing where the Township has looked for money. Mr. Smith advised he would give him the agencies that have been contacted. Mr. Asche asked Mr. Smith if he is a Board Member and Mr. Smith advised he is a Board Member. Mr. Asche advised the DEP letter shows LASA contacted PennVest. Mr. Asche showed Mr. Smith a flow chart and asked Mr. Smith where LASA is in the flow chart. Mr. Asche asked if LASA filed

paper work to get money from PennVest. Mr. Smith advised he couldn't answer that question, as that is the Executive Director's roll.

Mr. Bauder advised residents of Velma Lane sent him a letter asking that it be read into the record. Carol & Edward Shane, 104 Velma Lane wrote the letter. The letter reads "Since many of us cannot be present at the July 7, 2008, meeting, we wanted to on record with the following information. We all have septic system on our properties that are working well. They work well because we maintain them by having them regularly pumped out and by having any repairs done when they are needed. Some systems are brand new and have cost thousands of dollars. We are willing to provide proof of maintenance of our maintenance of our systems to the township on a regular basis. While we are very sympathetic to the homeowners of properties that are having problems, we believe there are alternative solutions other than disruptive, very expensive, and not foolproof, public sewer. Every property in Perth Hills and Letort Manor, not just a few, should be surveyed to accurately assess need and decentralized sewage systems should be thoroughly researched. You are asking us to spend a substantial amount of money to fix a problem most of us do not have." Names included on the letter Isabel and Williams Beck, Cindy Manuel and Deb and Keith Wiley.

Mary Fetter, 139 Tracyberg Road, wanted to bring to the Supervisor's attention Senate Bill 1341 was just approved to put a question on the ballot to approve up to 400 million dollars in funding for sewer projects and such. Mr. Bauder asked if it is a current Senate Bill and was advised yes. Mr. Bauder asked if it would be on the November ballot. Ms. Fetter indicated it says at the next primary, municipal or general election following the effective date.

Tom Cavallaro, 145 Bender Mill Road, read a letter to the editor that was published in Mifflintown regarding a sewer project that the individual was involved in. The writer listed his experiences with a sewer project. Mr. Cavallaro contacted DEP's secretary on April 23<sup>rd</sup> requesting a meeting to advise her of the adverse effect the Act 537 Plan is having on their community. Last week Mr. Madden from DEP informed Mr. Cavallaro agreed to meet with them and any other residents and/or township representatives on Wednesday, August 20<sup>th</sup> at 10:00 a.m. in the Rachel Carson Building in Harrisburg. The meeting room can accommodate 50-60 people. Mr. Cavallaro gave his telephone number and asked that anyone interested in attending this meeting contact him. Mr. Cavallaro stated this is the residents chance to stand up and be heard.

Mary Sahd, 1126 Colonial Road, indicated she was interested in the noise ordinance that the Township is in the process of adopting. She reported she is trying to deal with a situation regarding a group home where some residents are causing a great deal of noise and there is nothing that can be done since there is no noise ordinance. Ms. Sahd requested that something is put in the noise ordinance to protect residents that they have some leg to stand on when they have a situation like this. Mr. May advised they are looking at a draft of the noise ordinance that will soon be advertised. Mr. May questioned how many people are in the group home. Ms. Sahd advised there are two residents, two staff members for each resident, and a woman present as a supervisor. The residents have talked to Mr. McGraff who is running the group home and the noise is a little better than it was but there is still noise. Ms. Sahd pointed out they have a group home up the street and have no problem with that one. Mr. Smith advised Bruce Ott has looked into this situation extensively and has been working with the owner to rectify the situation. Mr. Bauder asked how long the situation has existed and Ms. Sahd advised it has been about six weeks.

Mary Glazier, 269 Chestnut Grove Road, referred to the Township Planner Page 5 titled "Funding Can Help Townships Keep Kids Safe & Healthy" stating this is the first round of funding from the State Department of Transportation for Federal Safe Routes to School Money. The

deadline for the first round is August 1, which is why she brought it directly to the Supervisors. It is 100% reimbursement for certain projects where you are developing sidewalks or bikeways within two miles of a school. Eligible projects are funded 100% and do not require a local match. Ms. Glazier pointed out the August 1 deadline is for the first round and there will be additional opportunities.

Mike Slaugh, 174 Carol Drive, Letort Manor stated there were several good points brought up regarding the sewer. One was asking DEP for an amendment. In other meetings it was asked if we could postpone the project and they were told DEP says it must be done. Now it looks like they may have an option to postpone this until they can find funding. Mr. Slaugh asked what they could do as homeowners to have something drafted for DEP to get time to look for funding. Mr. Bauder advised things are in motion. Mr. Cavallaro has arranged a meeting. Mr. Bauder advised they are going to look into different options. Mr. Bauder advised he would like to take Mr. Kreider's suggestion and make a motion tonight to put a hold on this project until they can get questions answered. Mr. Slaugh asked what has been done to find funding. Mr. Bauder stated finding funding is the manager's responsibility. Mr. Slaugh asked if by next meeting they could get a written list of things done to try to get funding. Mr. Bauder stated he and Mr. Kreider have contacted different companies to put in alternative systems. Mr. Slaugh pointed out he is talking about the funding and not the system itself. Mr. Slaugh asked if LASA has the go ahead to do this. Mr. Smith advised LASA has had the go ahead to do this since the adoption of the plan. They are continuing to pursue the hard line engineering so they can come out with an actual cost for the project. Mr. Slaugh if it is set in stone they will get the bid to do the project. Mr. Smith advised the Township might have some recourse through DEP to amend the Act 537 Plan. Mr. Smith advised the 537 Plan is what needs to be complied with. If they want to delay or discontinue that it needs to go through that planning process. Mr. Slaugh asked if LASA is going to be doing the project and Mr. Smith stated yes until the plan changes.

Mr. Asche stated the Chesapeake Bay clean up is a push for all of these things and if they have the number of failures that are indicated in Perth Hills and Letort Manor all the water run off goes into the west bank of the Little Conestoga which goes to the Susquehanna and into the bay. There should be funding somewhere to get this project done. Mr. Asche indicated he would not want to see LASA stop their engineering but would like to have them take it to a point before they bid and put a hold on it at that point. Mr. May stated that is what they have to do. Mr. Kreider feels LASA should continue to go forward but he thinks they should let the alternative methods start their evaluation of the project. Mr. Kreider feels they were given a lot of bad information and he believes the engineering was flawed. Mr. Kreider feels because of that they have a reason to put a stop to this until they get good data. It was proven to Mr. Kreider that a decentralized system would work. Mr. Bauder stated he understands there is funding available for the decentralized system. Mr. Kreider advised there is funding from EPA, however, there is very little money out there right now for any kind of grant money for this kind of thing. That is why there is so much interest in this and there is pressure with local representatives as far as where the money is coming from. Mr. Kreider feels if they can postpone the money might not be there today but it might be there tomorrow.

Mr. Asche stated for the Chesapeake Bay drainage area to address the nutrient reduction requirements Act 218 in 2004 PennVest Board awarded over 68 million dollars for system upgrades and installation for nutrient reductions. Mr. Asche advised there was money out there and the Township failed to act on getting those funds. Mr. Herr advised the nutrient management applies to the farms.

Ray Dryer, 139 Nicholas Road, said it is fine to talk about alternative systems but at some point as Township Supervisors they need to start looking at next year's budget and maybe look at moving money around even if you match one-third of this project or something. There has been no talk about looking anywhere in the Township in the budget to help residents pay for this system. It is hard for residents to have faith in the Supervisors, if some of them cannot answer ten questions in two months. Mr. Bauder questioned what ten questions Mr. Dryer was referring to. Ms. Rugh advised Mr. Dryer was referring to the 33 questions that were asked.

Mr. Kreider would like to have an engineer from ECO to come to the Township and give a presentation of his evaluation of the system along with a material supplier and a contractor who does this kind of work. This individual is asking for the Township to pay for his airfare, which would be about \$3,000. Mr. Kreider sees this as something they can do for the residents to assure them they are doing all they can to come up with the right conclusion as to what system they want to go with. This individual would like to make a presentation to the general public so every knows exactly what is proposed. Mr. Kreider stated you couldn't put money ahead of the design. Mr. Kreider advised he had a problem with some of the questions asked because some of the questions could not be answered at this time. Mr. Kreider stated he will not give a false answer or one he is not sure about to a question. He will answer the question when he is able to give a correct answer. Mr. Kreider asked the Board if they want to have this representative along with his subcontractors come and make a presentation to the people. Mr. May questioned if the airfare was for everyone or just the engineer. Mr. Kreider advised the cost does not include the subcontractors. Mr. Kreider explained the individual is a scientist who designs the systems. This individual asked why systems are being put in where there is no problem with the systems. Mr. May questioned how soon this could be done and Mr. Kreider advised it could occur within 30 days. Mr. Bauder advised a meeting would have to be arranged with the public. Mr. Kreider advised they either say yes they want this gentleman to come in or they want to stop it right now. Mr. Bauder questioned if there was money in the budget for this expense.

Mr. Asche stated before money is spent on a decentralized system a decision needs to be made whether LASA will adopt that system and take maintenance of that or will the Township. Mr. May advised LASA will not maintain a decentralized system and the Township would not own the system. Mr. Asche asked if the homeowners would own the system and Mr. Kreider advised they would not own the system. Mr. Kreider advised this company has associate companies that they are in contact with who actually do the maintenance on the system. Mr. Asche asked if there is a major failure would it come back to the homeowners. Mr. Kreider advised the engineer should answer these questions. Mr. Kreider stated the systems are monitored via telephone lines and they are overseeing the system whether it is failing or not. If there is a problem, they know where the problem is located. They would know before anyone else would know. Mr. Asche state from what he knows of the decentralized system they take care of the water and not the solids. You still have a septic tank that takes care of the solids you must have pumped out periodically. LASA's system is a full get rid of everything from my house. Mr. Kreider stated that is not quite right but he did not feel tonight was the time to talk about these things. It was suggested to have a conference call with the engineer. Mr. Bauder stated one advantage of a decentralized system is they do not need that development and LASA needs the development to make it fiscally attractive. Mr. Kreider advised the decentralized system needs to be cleaned once every seven years. There was a question what happened if the power is off and Mr. Kreider advised it goes into your tank until the power comes back on. Mr. Kreider advised all this influent goes back into the ground

where it is suppose to go and where it went for eons of years before there was a sewer system. This will not go into the stream and end up in the river.

Mr. Strohecker advised Mr. Bauder the answer to his question about the cost and the budget category cost of \$3,000 will not put them outside the bounds of the township code for that particular expenditure.

Mr. Herr wanted to clarify that this individual would be coming as a scientist and not representing a specific system but systems in general. Systems in general are not all the same. Mr. Herr stated coming back to Mr. Asche's question who owns the decentralized system is what he is asking and not who is going to maintain or operate the system. Mr. May stated someone must own the system. Mr. Asche stated if the homeowners association owns the system he is against it. Mr. Kreider advised a homeowner's association couldn't own the system. If the township would own the system financially you would make some payment to the township for maintenance of this system and that would be the Township's involvement. The Township would not own it in as much as we maintain it or do any of those things. It is just that the money is available from the residents, as you will be paying for sewer one way or the other to maintain the system and make it work. The same thing occurs with LASA in that part of your bill goes to maintain LASA if you have their system. Mr. Kreider would like a professional to explain all of these things. The individual does not represent any one company. That is why he was brought on board. The scientist works with about four manufacturers of equipment and these people bid against each other but he can recommend to the Township which system he feels is best for us. For actual installation of the system many townships are using their in house people, if they are not busy, to do some of the trenching work. Mr. Breneman asked if the individual would look at our ground and Mr. Kreider advised that has been done through information Mr. Smith has sent to him. Mr. Herr questioned if he has already done that study someone has covered his expenses to that point at what point do we pick up his expenses. Mr. Kreider advised he does not know where all his money comes from. He has not sent the Township a bill for anything. Mr. Breneman would like to see if they could have a conference video first. A question was asked if any of these systems exist in the County and Mr. Kreider advised no. Mr. Kreider stated EPA is pushing these type systems. Mr. Bauder introduced a book from Border's Bookstore that talks about the Federal EPA's position on these type of systems.

#### New Business

LCSWMA Agreement – Mr. May advised Mr. James Warner was present regarding possible contribution from LCSWMA for the Township rail trail. Mr. Warner has come up with an agreement involving work to be done in the future regarding remediating the Armstrong Dump Site in Lancaster that would increase the tonnage going to the landfill. James Warner, Executive Director of the Lancaster County Solid Waste Management Authority, advised that Mr. May is correct that he and Mr. Bauder wrote a letter and then a meeting was set up in April with a request for the authority's interest in contributing towards the Township's efforts to develop a low grade rail trail. This is something the Authority has been involved in other communities where there are facilities specifically in Conoy Township. They bought 2 ½ linear miles of former canal bed and are now working with other agencies to help connect Northwest River trail. It will go from the northern end of Conoy Township down to Columbia. They will be building and fully funding a trail on some property behind the post office off of Farmingdale Road in East Hempfield Township. While the Authority pays a significant host fee to the Township of one million dollars, it just so happened the timing was good because they have a specific project coming up where they will have

extra funding. They have proposed to the Township to contribute a portion of that funding to the Township for their cause. The rail yard relocation has been in the paper where F&M and Lancaster General Hospital are making efforts to convince Norfolk Southern who wants to expand their rail yard on Harrisburg Pike to rather than expand on their own property to expand behind the post office. That happens to be an old landfill that the Authority's predecessor agency dumped waste in the late 50's and early 60's. The waste dumping ended there in 1962. F&M and Lancaster General have decided they are going to remove all the material and put clean dirt in there. That way any concerns Norfolk Southern had about liability of putting the new rail yard there is gone as far as existing conditions. That means the old waste in the old landfill will be dug up and put in the current landfill that has the environmental protection that current regulations over the last 20 years necessitated. It will go from an unlined site to a lined site. The current limit at the landfill only allows them to receive a maximum 2,000 tons per day. They usually operate around 1200 – 1300 tons per day. For that excavation to take place, the contractors want to dig and remediate the site in as short a time as possible maybe 4-5 months. The Authority has asked the Township to agree to allow the Authority to apply to DEP that just for the purpose of that old landfill remediation that their permit would be allowed to extended from 2,000 tons per day maximum up to 3,000 tons per day maximum. DEP would be much more inclined to allow that to happen if the local Township has also agreed to that. They would also extend their hours by one hour Monday thru Friday and 3 hours up to 3:00 p.m. on Saturday. By allowing that to happen the extra trucks going into the landfill will occur during the shortest amount of duration cause they can get the most waste in there during that time maybe an extra 1,000 tons a day. They think that duration maybe limited to 4 1/2 – 5 months weather dependent. There could be up to 90,000 tons extra that will have to go out of that old site and into the new landfill at which point they also plan to sell dirt that is currently at the landfill. They will fill the empty trucks with the clean dirt and that will be back hauled and put right back into the hole so the remediation will go a lot smoother. You can expect about 50 trucks a day from 7 – 5:00 p.m. so you are looking at about 5 trucks per hour over a ten-hour day extra. They propose in this agreement they would share with the Township ten percent of their revenues from that project net. They would subtract out some fees they will have to pay DEP for each ton they dispose of and it looks like it will be around 250 – 350,000 dollars. Mr. May advised the agreement reflects this will occur over a limited period of time at which point it would revert back to the old hours and old tonnage. The Township would have the ten percent Mr. Warner talked about to use for the rail trail. Mr. Kreider thought one of the reasons they set the time was because of school buses and he assumes this will be going on during school session. Mr. Kreider questioned the safety issue. Mr. Warner stated he was sure it would be a local firm who gets the excavation job but by spreading it out you will have the same amount of trucks coming on designated route to the landfill and by spreading it out you will have some trucks traveling between 4 and 5 p.m. If you do not spread it out you will have more trucks traveling during the time of school buses. Mr. Kreider asked if Mr. Warner was in a position to assure any new trucks will have proper instructions and training having to do with traffic and school traffic. Mr. Warner stated he couldn't enforce their CDL driver requirements. Mr. Warner stated any person on the road has to abide by school bus regulations. When they are a truck driver that means they are a professional driver and drive that truck for a living. No matter what day or where they are driving they have to take care when school buses are on the road. Mr. Breneman stated they would be taking the same route. Mr. Warner advised there would be a designated route and with the origin of the job the route will be Rt. 30 and 441 south. The route will be all state roads. Mr. Breneman stated the trucks are already on that route. Mr. Kreider asked why they limited it to 4:00 p.m. and there was

no answer. Mr. Bauder stated LCSWMA drivers are the best trained. Mr. Warner advised the trucks would be tri-axle dumps.

Ted Gingrich, 110 Bent Tree Dr., stated the brush program is excellent. Mr. Gingrich stated the low grade has been in there 75 years or longer and they put stone and ballast. Have they thought to dig some of that up and put in the new rail yard? Mr. May advised the stone is needed for the rail trail. Mr. Smith stated the issue with the back hauling is they will be dumping within yards of where the dirt's available.

Bonnie Miller, 112 Bent Tree Drive, asked if this has been approved and is East Hempfield aware of this. Mr. Warner advised this has been discussed within the community for several years. Ms. Miller asked if we have the capability of taking on all this extra garbage. Mr. Warner stated this is not anything they would be doing if they were not capable of doing. Their permit does not allow them to take the tonnage they would like to for the duration of this project. It will consume about four months of capacity. If the landfill was going to be full in 2020 now it will be full in 2019 and 2/3rds theoretically.

Mr. Bauder made a motion to approve the agreement with the Solid Waste Authority. Mr. Breneman seconded the motion. Mr. Smith suggested authorizing the Secretary to enter into the agreement with the Executive Director. Mr. Bauder added to his motion to authorize the Secretary to enter into agreement with the Lancaster Solid Waste Authority. Mr. Breneman seconded the amendment to the motion. The motion carried unanimously.

Ordinance No. 4-2008 Amending Chapter 27 Nursing, Rest or Retirement Homes  
Mr. Smith advised the amendment has gone through an extensive planning process and review by the Manor Township Planning Commission as well as LCPC. Mr. Smith advised at the Board's direction he prepared this amendment to be advertised for action this evening. Mr. Smith advised the County does not look favorably on this but the Township Planning Commission approves the amendment. Mr. Bauder made a motion to adopt Ordinance #4-2008. Mr. Kreider seconded the motion and the motion carried unanimously.

Draft Ordinance Vet Clinic Amendment - Mr. Smith advised Dr. Osborne met with Township Staff to look at the possibility of changing some of the regulations that would enhance a veterinary clinic operation. One of the issues being dealt with is Section 405.2 regarding how many trips would be generated as a result of this. There was also an issue regarding road classification. Staff as well as Tom Goodman reviewed this amendment and they are satisfied with the proposal. It is recommended this amendment be passed to the LCPC and Manor Township Planning Commission for their review. Mr. May made a motion to refer this ordinance to the Manor Township Planning Commission for their review as well as the LCPC as soon as possible. Mr. Bauder seconded the motion and the motion carried unanimously.

Resolution #18-2008 Eagle Heights Open Space – Mr. Smith advised he has not received proper documentation and signature page, therefore, it will not be considered this evening.

Memorandum of Understanding Agreement between LCPC and Manor Township Mr. Smith advised the Manor Township Planning Commission has drafted a letter to the Supervisors recommending they adopt and sign this process. The Memorandum of Understanding deals with fast tracking some of the minor issues. Mr. Smith feels it is a good stream lining of a planning process for the smaller issues that come before the Planning Commission. Mr. May advised if they sign the Memo of Understanding they would not have to grant the waivers. Mr. Breneman made a motion they enact this Memo of Understanding and enter into the agreement. Mr. Herr seconded the motion and the motion carried unanimously.

LCPC Envision Partnership – Mr. Smith advised this a proposal that was before the Planning Commission for consideration. They have given careful review and recommend that the Township participate and sign the Envision Partnership. Mr. May stated this strives to keep our Comprehensive Plan consistent with the County Plan. Mr. Bauder advised he was at the Planning Commission meeting when it was discussed and he has reservations. Mr. Bauder advised they have just approved a plan that the County was not in agreement with. Mr. Bauder indicated the Township has some very unique situations and they do not always comply with the goals of the County’s Comprehensive Plan. Mr. Bauder expressed concerns with another layer of approval in trying to match these objectives from the Township’s standpoint. Mr. Bauder feels this partnership is not necessary. The County has the opportunity to comment on all plans. Mr. May stated they are saying they should strive to do it. Mr. Smith advised his concern is the lack of teeth in them. This partnership is to have dialogue and is not in place of any regulatory document the Township has such as Zoning Ordinances, etc. Mr. Bauder feels the land use board is valuable. Mr. Breneman’s opinion is the Planning Commission recommended they enter into this and he feels if it is their opinion he agrees. Ms. Glazier advised she feels this is a useless partnership and does not matter one way or another. Mr. Herr asked Ms. Glazier if when presented was this seen as part of land use cooperation between townships. Mr. Bauder stated the land use is separate. Mr. Kreider agreed with Mr. Bauder that this is another level of government that does not accomplish anything. Mr. Kreider stated he is opposed to this. Ms. Glazier stated it is a discussion of goals and objectives. Mr. Bauder made a motion not to approve signing the Envision Partnership. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. Smith advised one of the things to do, as a Board is to make an appointment to the Implementation Committee. Mr. Bauder suggested they make the appointment at this meeting and Mr. Bauder volunteered for the position. Mr. May made a motion to appoint Richard Bauder to the Implementation Committee. Mr. Kreider seconded the motion and the motion carried unanimously.

Lamar Advertising Request for Bus Shelters – Mr. May advised this came up several years ago and Mr. May was in favor of the project at that time. Mr. May feels it is good to have the shelters and has no problem with the ads. Tom Feltenberger with Lamar Advertising who also represents the Red Rose Transit Authority made a presentation. Mr. Feltenberger advised he had made a presentation about four years ago to the Township and at that time there was some agreement to do the shelters and possibly redefine the ordinance on advertising for bus shelters or to have a zoning hearing board for each shelter. Mr. Feltenberger advised he is here tonight to find out how the Supervisors want to handle the situation. Mr. Feltenberger advised this is an amenity from the Red Rose Transit Authority to the various townships and boroughs. Mr. Feltenberger advised Springettsbury Township rewrote their ordinance to allow bus shelters under a conditional use. Mr. Feltenberger advised there are approximately 20 bus stops in Manor Township. The RRTA has picked out three stops where they would like to locate shelters. Manor Township is on the busiest route, which is Route 17 (Route 462) that goes from the City to Columbia. Most of the customers who ride that bus live in Manor Township or work here. The three sites proposed are Hershey Home east of Mountville, Vineyards, and Armstrong World Industries. Mr. Feltenberger feels Armstrong is not the best site but his analogy is if you build it them will come. Another stop good for the Township is across from the Travel Lodge, but a shelter cannot be fit there because of the slope of the land. The sites and locations are evaluated and the landowners are asked to be a good partner with the Township and community and allow a piece of their land to be used for the shelter. If for some reason the shelter does not work out, they will take the shelter down that is all outlined in the consent form. Tonight Mr. Feltenberger is looking for the direction the Supervisors

wish to take. With today's economy, the ridership is up. Mr. Feltenberger advised they have an agreement with PennDot that the shelters can be located in the right-of-ways. Mr. Breneman stated the shelters are well maintained and he thinks they are a good idea. Mr. Smith advised that the Supervisors need to authorize some alterations. Currently, the sign ordinance does not allow for off premise signage and that is one of stipulations that keeps this from happening. Mr. Smith advised the other alternative is to go to the Zoning Hearing Board for relief on the matter and Mr. Smith contends they will not get that relief because it is not a hardship as defined in the Municipalities Planning Code. Mr. Bauder advised he would like to include off site agriculture signs that have been talked about before. Mr. Feltenberger advised Lamar Advertising is a very reputable company and does not use advertising for tobacco, vulgarity, bookstores, etc. The Red Rose Transit Authority has first right of refusal and they accommodate everyone they can as far as the advertising. If the advertising is not sold out, the Township could put up an advertisement for the cost of the print only. Mr. May advised he would like to move forward and change the ordinance so these shelters could be installed. All the Supervisors agreed. Mr. Smith advised he would work with Bruce Ott and Tom Goodman to prepare an amendment.

Bonnie Miller, 113 Bent Tree Drive, suggested they be place where people live and use the Transit Authority like Hershey Mill Road where there are renters waiting for buses, in front of Interiors 2000, and in front of Rettew Associates. Mr. Breneman pointed out that two of the three Ms. Miller listed were places Mr. Feltenberger had listed.

Fieldcrest Associates Request for Letter of Credit Reduction – Mr. Smith advised the letter request from Fieldcrest is not accurate. Mr. Smith recommended a reduction of \$545,452.15 with a new balance of \$314,931.55. They basically had asked for reduction based on the money they spent that is not their issue. The reduction is based on the construction estimate cost and the retainer of 15%. The new balance will leave 15% as well as the cost estimate and contingency for the topcoat. Mr. May made a motion to reduce the letter of credit by \$545,452.15 to a new balance of \$314,931.55. Mr. Breneman seconded the motion and the motion carried unanimously.

Agricultural Security Area Addition Homer Shenk 19.3 Acres – Mr. Smith recommended that the Board consider the inclusion into their security area and do it by utilizing the 180 day procedure which is typically they way it is done. Mr. Smith advised this was before them more than a year ago as an estate issue. There was a zoning issue and Farmland Trust got involved. Mr. Herr made a motion to work with the 180-day procedure to include this property as the Homer Shenk property in the Ag Security Area. Mr. Kreider seconded the motion and the motion carried unanimously.

Appraisal of the Right of Way of the Enola Low Grade Line – Mr. May advised he and Mr. Kreider met with George Wehner and John Hentz regarding the Enola Low Grade Line. They traveled the 5 ¼ miles along with Barry Smith to get a good sense of what needs to be done. They met with Mr. James Ahonen in Norfolk Southern's Harrisburg Office. There must be an appraisal of the property because the Township must by it. Mr. Hentz made a proposal and they are estimating the appraisal will cost \$15,000. The cost is \$200 per hour that includes travel time and telephone conferences are billed at the rate of \$85 an hour. Mr. May advised they have a firm commitment from Norfolk Southern that when the Township buys the property they will give a million dollars back for the trestle bridge maintenance. Mr. May asked Mr. Strohecker if the cost could be in this year's layout. Mr. Breneman questioned when the money would start coming in from LCSWMA and Mr. Smith advised that is dependent upon the project. Mr. Smith is certain money would be available in the Capital Fund. Mr. Smith pointed out the appraisal is \$15,000 but in the event Mr. Hentz's services would be need for testimony or hearings that would be \$200 per

hour including travel time. Mr. Bauder asked if George Wehner would be doing the appraisal and he was advised no. Mr. Bauder asked if the Conservancy will be involved and Mr. May indicated he hoped they would be involved. Mr. Bauder asked if there was any estimate and he was advised there is none.

Ted Gingrich advised he was at the last meeting about the railroad and he asked Norfolk Southern about the work and they want to start this fall if they get all the permits.

Mr. Smith advised a motion is needed for the secretary to sign the agreement. Mr. May made a motion to enter into the proposal that is contained in "L" in the packet with John Hentz regarding obtaining the appraisal. It was very clear when Mr. May, Mr. Armstrong and Mr. Smith went to see Craig Lewis, Vice Present of Norfolk Southern in Philadelphia that they have to get an appraisal before this can move ahead. Mr. Herr seconded the motion. Mr. Strohecker asked when the total cost of the project would come in. Mr. Strohecker was advised it would not be this year. Mr. Smith advised they need to establish the value to go to Norfolk and negotiate and also have the true value when they deal with DC&R with any additional request for grant assistance. Mr. Kreider asked if there was any conversation after they discussed the "I" beams, as the border of that trail and Mr. May advised no. Mr. May went to Mark Lauriello from Rettew and their engineers are looking at how that may reduce the amount required for a survey to shoot that line the catenary's poles. It was suggested the not to use the poles as the boundary lines but maybe two feet off the poles. Mr. May called for the vote on the motion. The motion passed unanimously.

Miller Road Widening Project – Mr. Bauder expressed concern with widening two roads in one year. Seitz Road has a count of 1,000 vehicles per day and Miller Road's count is 100 vehicles per day. Mr. Bauder would like to delay the Miller Road widening in view of budget constraints for this year. Mr. Bauder asked Mr. Harris if work has started on Miller Road. Mr. Harris advised they have done bank relocation, seeding, some storm water done at one location, at lease a dozen trees removed in anticipation of widening and landowners have been notified. Mr. Harris indicated they partnered with PennDot in the agility program and they did not utilize any agility time this year. It is anticipated that is where that work will be done this year. The cost of that project this year is \$47,000. Mr. Bauder indicated Mr. Harris advised he wanted to do the paving the following year. Mr. Harris advised they did deviate from that somewhat. They widened a portion of Stehman Church Road in 2007 and at this time those areas that were widened were left and they did not overlay that road. It will be oil and chipped on the week of July 14. Mr. Bauder asked if he would pave over the area. Mr. Harris advised if they would continue to widen at some time then they would do from Indian Run Road to the completion of that road. Mr. Harris advised he wanted to maximize their buying power by having not a project of 200 tons but project of maybe 800 tons in one area. Mr. Harris would recommend to the Supervisors for 2009 budget overlaying all of Seitz Road. In Mr. Harris's opinion, the profiling on Miller Road is much better than Seitz Road. Mr. Harris stated with the Highway Aid Fund in the six years he has been managing the fund it is typical he present \$200,000 worth of paving. This year they did ten roads for that \$200,000. Last year they did Chestnut Grove Road, Clover Hill Road and West Ridge Drive for that money. As they anticipate 2009, Mr. Harris would recommend Seitz Road and he knows what Miller Road would take per tonnage. As he factors that out under today's value of asphalt with the escalated cost the actual cost he obtained a number of \$148,000 which is still far less than the typical \$200,000 that they paid in their road program. As shared at the work session, in 2008 he had six roads trimmed out of the budget he feels need attention. Mr. Harris indicated he did that to maintain a balanced budget. Mr. Harris's goal is to bring them a balanced budget and if that means paving two roads that is what he will do. Mr. Harris believes a great enhancement for Miller Road could be achieved.

Mr. Bauder stated Anchor Road is 18' and serves the public quite well. Mr. Bauder stated Creek Road in Warwick Township is 18' and they do not plan to widen that road. Mr. Bauder does not see a necessity for making a road 22'. Mr. Bauder stated they do take some road items out of the capital budget. This year they put the dump truck back in and put the highway fund in deficit by doing that. Mr. Bauder advised other township budgets take all their highway items out of the highway fund that is equipment and paving. Mr. Bauder does not know why they would be fixed on \$200,000. Mr. Bauder stated with the budget constraints maybe they have to look at all the items and decide maybe they want to change some things. Mr. Kreider stated he feels they are dealing with a different situation today than 12 to 15 years ago and in some roads does not see a 22' road is necessary. If you drive in other township we have the finest roads but he thinks you can go overboard and widen roads that go nowhere. Mr. Kreider stated Miller Road is a good example. Mr. Bauder stated it is not an arterial or collector road and there is only about 40 homes on the road. Mr. Bauder would like to postpone some expense in view of budget constraints so they could put more of capital equipment items into the highway fund. Mr. May asked what finance thinks. Mr. Strohecker said it sounds like they are talking philosophy. The budget sessions they have are what particular philosophy does the Board want to adopt going forward. The Highway Aid Fund is unique because there is a set amount every year. If the philosophy is to retain more of that in reserve than he thinks that is something they should hear from the Supervisors. If the philosophy is to pay for a large capital project like the road bank mower or dump truck out of that they should hear that philosophy. Mr. Harris is outlining a philosophy that he specifically used the last six years and is that the correct philosophy and do they want to continue that going forward. Mr. Smith stated the issue critical from an administrative standpoint is they have awarded and signed a contract for this material. To remove this road puts them a position he is not sure he can defend. Mr. Kreider stated they have been talking about 22' wide road for several years and have not done anything to change that. Do they want to continue in this tract or reevaluate the width of the roads. Mr. Breneman feels that is a budget type item and when they talk about budget for next year make that decision then. Mr. Breneman feels they need to go along with what is planned for this year. The material is ordered and Mr. Harris has his crew planned out where they are used for the summer. Mr. Bauder said would the road be 18' or 22'. Mr. Harris stated they actually have 23' of open area right now. Mr. Harris advised you can always make it smaller. Mr. Harris referred to Crossgates VII where those streets are 28' and they requested a reduction of cartway through the Board of Supervisors that was granted and reduced from 34' to 28'. Mr. Harris indicated he has trouble understanding that philosophy saying we will not allow you to build anything less than 28' but you are telling me build it 2' less. Mr. Bauder agrees but that has to do with parking cars and maybe they should not be 28'. Mr. Bauder stated the Builders of the Bay objective is to keep runoff at a minimum. Mr. Herr talked to Mr. Harris and obtained the figures. Mr. Herr stated he is already under budget even though the escalated cost came in and he was forced to buy material at the higher price. He is still \$3,400 under with that happening. Mr. Herr stated in his mind he has done very well and they have a very good program. Mr. Herr advised in his work he sees many other township roads and has asked the question repeatedly "What do you do on widening your roads" and without exception 22' is the standard used everywhere. Previously there were no refuse trucks in the country like now. There are garbage trucks out early in the morning when school buses are out there. When they parked on Miller Road, they had to actually move the Township vehicle so someone could pass them and they were on their side of the road. Mr. Herr feels they have a good program in effect and to pull things out they will get in a behind catch-up situation that they may never catch up. Materials are going up in cost. Mr. Herr advised another Township told

him they wish they had done what Manor did because they are that far behind they do not know how they will ever catch up. Mr. Herr agrees sometimes they may have to let a road lay an extra year until they can top it, but with Mr. Harris working with this \$200,000 number year after year he is effectively getting a hole in deficit situation from miles covered. Mr. Herr would hate to see them back step and his opinion is to say the course. Mr. May stated he is in agreement with Mr. Herr.

Joan Matterness, 213 Sutherland Road, commended Mr. Herr for his comments and she thinks they need to stop looking at nickels and dimes. Mr. Harris has a plan to stay within his budget to do what needs to be done. She feels they need to stop saying lets do little things. She is concerned with infrastructure and the fact they still have little narrow roads with emergency vehicles, school buses, etc. having to drive on them when this gentleman can stay within budget and make it work what are they quibbling about. Why are they having this discussion? They just spent \$15,000 to have an appraiser look at the Enola Line. This man is staying in budget and wants to do this and it is going to work. Let it happen. Mr. Bauder stated everyday people ask what do you do with that million-dollar landfill fee. You taxes are the same as other townships and they are not talking about nickel and dimes. They are talking about a budget that is one and one-half million dollars more than West Hempfield. Ms. Matterness asked what they are going to do with that money he is talking about saving. Ms. Matterness stated they are not asking for anything additional it is already appropriated in the budget. Mr. Bauder said he is asking for less because their income is less. Ms. Matterness said they just spent \$15,000 for an appraisal and he voted yes for that. Mr. Bauder stated when your income is less you, must do with less. Mr. May made a motion to continue the course on Miller Road widening project as budgeted for this year. Mr. Breneman seconded the motion. Mr. Kreider stated he agrees to continue with Miller Road, however, he thinks they must stop and take a good look at things. Mr. May agreed with Mr. Kreider. Mr. May called for the vote. The vote passed 4 to 1 with Mr. Bauder voting no.

William Laudien Township Assistant Manager's Letter of Resignation – Mr. May feels they should accept with regrets. Mr. May would like to let Mr. Laudien know they will miss him. Mr. Smith felt they were fortunate to retain Bill Laudien for the period of time they had, as he was an excellent candidate for any management positions that opened recently. Mr. Smith mentioned that in his absence for an extended period of time last year Mr. Laudien did an excellent job managing the Township. Mr. May made a motion to accept Mr. Laudien's resignation with regret. Mr. Herr seconded the motion and the motion carried unanimously.

Mr. Smith advised he would like to have a period of time to evaluate their needs regarding personnel. One of the things he needs to evaluate is in spite of the current planning activity as they move forward with staffing needs the job description was written pre-subdivision land development ordinance. One of the greatest needs Mr. Smith sees is someone with a strong planning background who can assist in that and function as an assistant zoning officer. Mr. Smith would like time to evaluate the current job description and come back with a recommendation to the Board as they move forward. Mr. Bauder presented the job descriptions in January. Mr. Smith advised they met and Mr. Bauder indicated he did not want to do anything. Mr. Bauder advised he wanted Mr. Smith to come back with suggestions and Mr. Smith advised they did meet.

Supervisors Mileage Reimbursement – Mr. Kreider stated all the Supervisors have been using their own vehicle and never turned in mileage and he thinks the time has come with fuel cost to be paid for mileage. Mr. May stated they can always submit their mileage if they chose to do that. Mr. May advised the mileage rate was set at the beginning of the year. Mr. Breneman stated maybe they should look at the amount set since the federal government raised the amount. Mr.

Bauder stated if no one does it what is the point of changing the rate. Mr. Smith advised this also affects staff that may have to use their vehicles occasionally. Mr. May feels they can look at it for next year.

#### Correspondence

Mr. Smith advised there is one seminar request submitted by Chief Graeff. The intent is to give Officer Smoker training that will enhance his reporting skills. Mr. Herr made a motion to permit Chief Graeff to send Off. Smoker to the training. Mr. Kreider seconded the motion and the motion carried unanimously.

#### Traffic Commission

Chief Graeff reported Traffic Commission held a meeting June 25<sup>th</sup> with all members present. Mr. Harris advised stop signs were installed on Buttonwood Lane at the intersection with Manor Ridge Drive and Temple Avenue. They talked about doing traffic studies that were given to Off. Gardner regarding Locust Grove Road and Ironstone Ridge Road regarding speed limit signs. A question was asked regarding a 3-way stop sign at Post Oak Road and Weaver Road asking if it would be possible to have the right turn keep moving on the southbound lane of Weaver Lane at that 3-way stop sign. Motion was made and was seconded and carried unanimously.

#### Police Report

Chief Graeff reported complaints were 293 for the month 1729 for the year; telephone and radio calls 1265 that gives 7168 for the year; traffic accidents 19 for the month and 161 so far this year; traffic arrests for the month was 183 and 1056 for the year; criminal arrests adults for the month 14 and for the year 129; juvenile arrests for the month 12 and 36 for the year. Chief Graeff advised Gary Strock the Community Police Officer has come up with an idea to put information out on a daily basis to the newspapers but the newspapers do not necessarily put them in. One of the things they have done is put a board in the lobby and every month they put news releases, articles, courses the officers have taken and their certificates on that board. Off. Strock has begun Crime Alert and they are posting on the web site information that is happening such as criminal mischief, suspicious vehicles, burglaries, etc.

Mr. May read the Proclamation for National Night Out 2008 indicating the night is set for August 5<sup>th</sup>, 2008. The Manor Township Board of Supervisors proclaims Tuesday, August 5, 2008 as National Night Out in Manor Township. Chief Graeff advised they are having National Night Out at the Manor Middle School. They will have a display of police canine, life line will be there and some other entities. Turkey is donating drinks and Kunzler is donating hotdogs.

Ms. Miller asked what the number of arrests was for the first six months of the year and Chief Graeff advised 129 adults and 36 juveniles.

#### Road Foreman's Report

Mr. Harris stated they awarded bids for the conversion of traffic signals to LED lights that actually started to day at Donerville Road and expect to do that all week.

#### Park & Grounds Maintenance Report

Mr. Dickert reported for the month of June nothing more than normal maintenance. Mr. Dickert made application to the PA Fish and Boat Commission in order to apply controls to purple loosestrife at the Wood Edge wetlands.

#### Township Manager's Report

Mr. Smith advised there is another project pending and that is the Bowling Green Curb Replacement. Mr. Harris will be working with that contractor on scheduling. The administrative building painting project has been completed and that went very well. There is a draft noise ordinance and they will be correcting several typos and look for direction if that is to be advertised for the next meeting.

Ted Gingrich stated several months ago there was an article that the LCPC was allotting money for signalization on Columbia Avenue and asked if there is any word on that. Mr. Smith advised they are trying to select a date when all the entities can get together to talk to the traffic consultant.

#### Building Permit Report

Mr. Kreider read the building permit report stating permits issued in June 2008 were 24 compared to last year of 44; number of permits issued year to date 128 compared to 232 last year; dollar value permits issued in 2008 is \$972,650 compared to dollar value of permits in year to date was \$8,987,187 compared to 2007 was \$16,407,413.

Mr. Kreider made a motion to adjourn the meeting. Mr. May seconded the motion and the motion carried unanimously. The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday August 4, 2008

Time: 7:30 PM

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

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

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

Visitors present: See attached.

Minutes – Mr. Kreider made a motion to approve the July 7, 2008 minutes as drafted. Mr. Breneman seconded the minutes. The motion carried unanimously.

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

Financial Report – Mr. Bauder made a motion to approve the Financial Report as presented. Mr. Breneman seconded the motion. Mr. Kreider stated that sometimes they are criticized for being micro managers, but because they have adjusted the air conditioning in the buildings, the electric cost last year at this time was \$14,320. and to date at this time it is \$12,231. Being moved and seconded, the motion carried unanimously.

### Business From the Floor

Tom Cavallaro, 145 Bender Mill Road, stated that last month he reported a meeting with DEP and Manor Township to discuss the sewage. He stated that acting Secretary Powers will be chairing that meeting on Wed, Aug. 20<sup>th</sup> at 10:00 AM and it is at the DEP Office. He sated it is open to the public and he would like to see the whole matter rescinded.

Jim Acts, 441 Central Manor Road, noted he lived at his residence for about 8 years and it has always been a beautiful neighborhood. He asked if there is a weed ordinance in Manor Township and Mr. May stated yes. Mr. Acts noted a neighbor that does not take care of his property and it is embarrassing. He also noted there is a noise problem because they have at least 15 barking dogs. He asked that the Supervisors do something to enforce ordinances. Mr. Bauder stated the only way we can enforce ordinances is if a resident would call the office and file a complaint so they are aware of the problems. Mr. Acts stated they have contacted the office several times. He stated the weeds have been cut but they are still on the trailer they put them on and he would like to see that removed.

Roger Stoltzfus, 442 Central Manor Road, stated he is here to complain about the same property. He stated he lives beside the house and he has called the Humane League about the dogs and they told him that the Township is the authority that needs to do something about that and that most townships only allows 3 or 4 dogs. He stated that he called Manor Township about the dogs and was told that at one time we did have a ruling on the number of dogs but that was taken out of our ordinance. Mr. Stoltzfus stated that it is not 1960 anymore and he feels there is a need for a dog ordinance. Mr. Stoltzfus gave the Supervisors photographs of the property and noted that he has counted 15 dogs there but thinks there could be 20. Mr. May thanked Mr. Stoltzfus. Mr. Bauder asked if dog laws should be in the zoning ordinance as an amendment. Mr. Stoltzfus stated that he also called Richard Hess who is the dog warden with the State and he told him to talk to his Township. Mr. Hess noted state laws only allow him to do something if they would have more than 26 dogs and it would be a need for a kennel license. Mr. May asked if they are selling the

dogs. Mr. Stoltzfus noted he did not know. Mr. Breneman stated that if they pass the noise ordinance tonight, it may take care of the dog issue.

Bonnie Miller, 113 Bent Tree Drive, stated that she looked for the noise ordinance on line, but could not find it and would like to know what they are voting on before they vote. She asked Mr. May if he would read it tonight. Mr. May stated she could get a copy at the office, and it was too lengthy to read tonight. Ms Miller asked if it was a nuisance or noise ordinance. Mr. May explained it is both for noise and nuisance. Ms Miller also asked if the Township has someone who is capable of writing grants and is it part of their job description. Mr. May explained the person that use to write the grants was Bill Laudien until he left, so we will need to have other staff or Barry do the grants.

Peter O'Donoghue, 388 Hershey Mill Rd, stated he was here last month and made comments on several issues. He noted that he had requested a sign be placed at the wetlands across from his property and asked if anyone followed up on that. Mr. May stated Mr. Smith is not here tonight and he does not know. Mr. O'Donoghue stated that he mentioned having coverings placed on storm drains as a safety issue for children and asked if anything has been done about that. Mr. May noted that it is a health and safety issue and they will look into that. Mr. O'Donoghue also noted that last month he stated a concern with the number of street lights that there are in the area and feels it is way too many. Mr. Bauder stated that this was addressed last month and noted that when those developments were approved, we did not have our own sub-division and land ordinance and everything was under the County ordinances that required the street lights. He stated that we now have our own ordinance and we have eliminated street lights and each homeowner is required to have a light. Mr. Bauder noted that he does not know if we can do anything about the streetlights that were installed under the County sub-division and land ordinance. Mr. Kreider stated that the streetlights are rented from PPL under a 10 year agreement. Mr. Kreider stated that he gave Mr. Smith information about the 10 year lease and he was to look into the cost to pay for 10 years and remove the lights. Mr. Strohecker noted that they did look into that, but the structure of the PPL 10 year agreement would not be cost effective to buy the infrastructure back at this time. Mr. May noted there are competing interests in this issue. He noted people that request streetlights for safety issues and people that want dark so they can see the sky. Mr. O'Donoghue stated that the people that want the light are definitely getting the benefit.

#### New Business

Mr. Breneman stated that Manor Township has entered into a task force with four fire companies to look at a consolidation of the fire companies to stream line and make it easier to raise funds and not duplicate equipment. He noted they met and formed a task force that includes 13 members, he being the elected representative from Manor Township and Mr. Guthrie is the citizen representative from Manor Township. He introduced Mr. Guthrie and stated he has also been elected as Chairman of the Task Force.

Russ Guthrie, 1101 Central Manor Road, stated he has come tonight to give a presentation for the Task Force and noted that he has worked on this type of project before. He went over the members and the job they are doing. He noted times are changing and it is time to change how the structure of volunteer fireman works. He noted a 76% loss in volunteer fireman and they need to change to keep the young people involved. He noted that each company involved has given \$25,000. to get this task force budget started. Mr. Guthrie read the Mission Statement as follows: "The duty of the Emergency Services Task Force shall be to examine those emergency services commonly provided by the participating fire companies and recommend actions, to the fire companies and the local governments, that will improve service delivery, reduce duplication of effort, and promote the preservation and enhancement of volunteer fire services in the most cost effective manner possible. Mr. Guthrie gave a slide presentation to explain how the task force will work with the authorities. He went over the task of the committee and identified the core principles. He also

commented on fund raising. Mr. Breneman stated that the meetings are held the first Thursday of the month at the Manor Maintenance Building and are open to the public.

Donald McCann, 339 N. George St, stated that when the task force started, they thought it would be difficult and a hard challenge. He stated that meetings have gone well with the four fire companies. Mr. Herr noted that no where else in the State have any fire companies put up the financial commitment to start the project and they have made a huge commitment to make it work.

Bonnie Miller, 113 Bent Tree Drive, asked if it were possible to assess each household in all these areas and have them pay to eliminate fund raisers. Mr. Guthrie stated that is an unpopular way to do it. Mr. Breneman stated that some areas already do this and part of the task force is to look at all options.

### Old Business

Mr. May noted that Mr. Kreider wanted the Letort Manor – Perth Hills Sewer project on the agenda for tonight and noted he is changing his position and feels that this should be on the agenda each month for public comment or to make any updates. He stated he has received letters about an informational get together with the people who are familiar with the decentralized systems. The meeting will be on Aug. 12<sup>th</sup> at 10:00 AM. He noted that even though the meeting will be open to the public, they have limited space so they should contact them if they plan to attend. Mr. May stated they are hoping the information will be about the cost per household for the decentralized system along with the ownership and maintenance responsibilities. He would like to know who gets the permits to build it and who would follow the construction through. He was hoping to learn how many entities are involved in building this, the engineers and the companies that sell the equipment. He would also need to have information on who would do the day to day maintenance and who would do the billing for the system. Mr. May stated that LASA quoted a cost of \$16,000 per household, but that was before the studies have been completed and that figure could come down. Mr. May stated that all these questions must be answered before DEP would issue permits for anything. He noted they are still going to look into the possibility of State funding and grants and he wants to know any state and federal agencies they are dealing with along with names and phone numbers and any dead lines that need to be met. He noted that he now feels that they need to slow down until some of these questions are answered. Mr. May stated that he does realize that LASA needs to continue their work though, so that they can come up with a refined figure for the installation of the sewer if they do it. He has questions about whether LASA would float a bond or if Manor Township would be willing to float a bond or will there be installments that residents could pay.

Dave Millisock, Spring Meadow Lane, stated that if LASA is doing work, LASA is spending money, and if we do not go with LASA for the sewer installation, then what does the Township owe LASA. Mike Kyle, from LASA, stated that they are doing the preliminary work because they would hope that they will get their return on investment by getting the sewer installation. Mr. Bauder stated there is a legal issue involved. He stated that the Supervisors have approved the Act 537 Plan and in that Plan it states that the sewer extension shall be done by LASA. Mr. Bauder stated that in the minutes last month Barry Smith was asked if LASA was doing this project and Mr. Smith answered " yes, until the plan changes". Mr. Bauder stated that when the Supervisors approved the Act 537 Plan, we also approved that LASA would do the sewer extension. Mr. Kreider disagreed. Mr. Bauder stated he feels this is a legal issue unless we amend the Act 537 Plan. Mr. Bauder asked the Chairman if they need to take action to slow the project down. Mr. May stated he does not feel they need to take action at this time because they have until the year 2012. Mr. Bauder stated the plan gives us 5 years which started in 2007. Mr. May stated that would be 2012. Mr. May stated he has a very strong feeling that we will end up with LASA doing the installation anyway.

Mike Kyle, LASA representative, stated that Staff recommendation to the Board notes we are obligated to the entire rate base for expenditures meaning that they recommend that Manor would consider that cost.

He noted that some of their information may not be useful if they go with the decentralized system because they were proceeding in good faith based on the Supervisors approval of the Act 537 Plan. Mr. Bauder noted that there has been a large cost. Mr. Kyle agreed. Mr. Bauder noted that this all goes back to the State wanting to reduce the nitrates in the Bay and the sewer companies have gone to the State for some funding, and it is his understanding that funding has been put into the State budget for this. Mr. Bauder asked Mr. Kyle if any of that funding is available for putting in sewer lines and has LASA ever gone to the state for grants for this type of installation. Mr. Kyle stated they have agreed to assist the Township in going after funds and LASA would be eligible as an agency to apply for some funds like Penn Vest. He noted they have talked to Mr. Smith and Penn Vest about this and some of the loans we would not be able to obtain, but would be willing to assist the Township in that. Mr. Kyle stated there have been two bills recently pass and signed into law where one would give revenues from gaming and the other would be voter referendum which states expansion of water and sewer. It would be a possibility to look at in the future. Mr. Bauder stated that the funding is one of the major questions from the residents along with what is being done.

Mr. Kreider stated that as far as he is concerned he feels the study that was done was flawed from the very beginning and the information that was given to the Supervisors was not complete or accurate and he feels because of this, he can see no reason to continue to hold to a time frame. Mr. Kreider proposed to put a stop to forward movement until they have the following questions answered. Mr. Kreider stated, in his opinion, this is all up to the Manor Township management to answer all of these questions. There should be a DNA test made of the fecal chloroform in the water at the site to find out if it is human, animal or plant and Mr. Kreider stated that the study did not reveal this. Mr. Bauder stated the study did divide it between regular bacteria and fecal bacteria. Mr. Kreider stated that did not answer his questions. Mr. Kreider also stated that he wants a comprehensive study for a decentralized sewer system and feels the management of the Township should do this study and the Supervisors should not have to go out on their own and do the study for the management of this Township. Mr. Kreider also stated that LASA should be 100% responsible for the sewer infrastructure and the only thing that the people should have to pay for is the hookup from their property to the street. Mr. Kreider stated that LASA is a utility just like PPL and they should not be charging individual people for putting in lines. He also feels that LASA has the ability to get grant money much quicker than the Township Supervisors because the government earmarked the money to go to utilities and they will enjoy the benefits from all this when the system is done. Mr. Kreider also said that LASA has stated that they do not want any part of the decentralized system if they do not put the sewers in. He added that in other states it is mandated that they must take these systems. Mr. Kreider stated this is the job of the management to find out what is mandated and what is not and report back to the Supervisors. He also added that all the studies must be done by expert companies.

Mr. May stated he has a little different view than Mr. Kreider but he realizes that the need for sewer is there. No matter what, there are failed systems.

Mr. Bauder stated that he has done a large survey with a very large response that overwhelmingly people in the area say their sewer systems are working fine. He noted only a limited number of failing systems with an undefined problem. Mr. Bauder stated the Arro study was done showing contaminated water and it should not be used for drinking. Mr. Bauder stated people in the area have installed systems so they can use their water for drinking and he is not sure that the problem has been defined enough to say that sewers are needed in the area.

A newly formed group, known as the Manor Sewer Committee, presented and read a letter to the Board of Supervisors. Representatives are Ken Asche, 116 Spring Meadow Lane, Ray Dyer, 139 Nicholas road, Mary Fetter, 139 Tracy Berg Road, and Melissa Rugh, 103 Catalpa Lane. The letter noted there are 100 household's signatures for a Letter of Engagement permitting the Manor Sewer Committee to act on their behalf to represent their interests with regards to the proposed sewer project and the unacceptable high costs

proposed to each homeowner for the sewer project. They have requested that the Township Supervisors ensure that the Township seeks all available funding to cover the infrastructure costs for this project. They also requested that the Supervisors direct the Township Manager to fully seek and document all avenues explored for grant money as well as investigate ways to incorporate the remaining infrastructure costs into the Township budget. They requested that the Township Manager be directed to provide a verbal and written report to the Supervisors of such activities. Ms Rugh stated that for the first time, she feels that the Supervisors are starting to listen to the people. They are concerned about grants and the high costs of this installation. Ms Rugh asked if the concern for grant money was for the LASA system or the decentralized system. Mr. May stated they would be interested in grant money for any system. Ms Rugh asked if there was going to be a motion to direct Barry Smith to look into grant money, since he was asked to do that in the past and did not do it. Mr. May stated no motion dealing with management will be done, but he will push hard to have it completed. Ms Rugh asked how they will know if there has been direction in that area. Mr. May stated that he will have this on the agenda with every meeting and they will keep everyone updated. Ms Rugh agreed it would be good to be on each agenda and stated that they need to see that the Supervisors that they have elected are working hard to keep this high cost of sewer down, which she feels they have not been doing up to this point. Mr. May stated that some of these acts have just been put into place. Ms Rugh stated yes, but what grants have they missed because the Supervisors have not been looking for them. Mr. Bauder stated some of this has just come into the budget and he does not know what would have been available prior to that. Ms Rugh noted a question that she did not get an answer to yet was: Are they going to extend the hook up period to 3 to 5 years instead of the initial 60 days. Mr. May stated that remains an option but the Supervisors would have to make a motion to accommodate that.

Mr. Dyer thanked Mr. Kreider that someone finally got it and felt he answered a lot of questions. He asked Mr. May who will be responsible for getting information to all these things and what are the consequences to the person if they do not get you the information. He also stated that he is tired of calling the Township and getting the response that the Supervisors have not directed me to do XYZ. He asked that the Supervisors make a motion that a person does what he is suppose to do. Mr. Bauder asked if Mr. Dyer is saying that he got that response when calling the Township. Mr. Dyer stated yes, some of the answers to the 30 questions that they had presented, were answered by the Supervisors have not directed me to do so. He stated that he was also answered by "I work for the Supervisors". Mr. Dyer stated that they are asking the Supervisors to take responsibility for things to get done in a time period. He felt it is unfair to them to ask for information and they never get it.

Mr. Asche stated that in last months meeting he asked for a list of who was approached for funding. He stated that Mr. Smith agreed to furnish that information to him and he has not gotten it. He felt three weeks would be fine so they would have a week to review it before the next Township meeting. Mr. May stated he will pass that concern along and noted that the question asked "what they will do when a person does not complete the job they say they will", Mr. May stated that is up to the Supervisors and it would be a personal matter. He noted he would not respond with what would be between the Supervisors and the Staff. Mr. Dyer stated that his point is that it does not help any situation if you have a person work for you and they don't do what they are told to do and there is no consequence.

Mr. Asche noted that this problem is continuing just like the person tonight that stated he has called the office about weeds on Central Manor Road and nothing has been done. Mr. Bauder stated there has been something done. Mr. Asche also stated that he feels their home values have been degraded by all the news on this sewer situation and now they need the sewer or alternate system to be completed, get this resolved and move on.

Mr. Kreider stated that he would like to make a proposal that they stop forward movement of the Perth Hills – Letort Manor sewers until they get the information requested. He wants to get the information and

start over. Mr. May stated that there are legal ramifications to do that and he would want to go to the Township Solicitor and discuss the Act 537 Plan, the study, and know what they are getting into before making any motion. Mr. May also asked if this would involve LASA, do they stop or continue their study.

Carol Shane, 104 Velma Lane, stated that it has been difficult to listen to all that was discussed here tonight. She stated that she has a letter from Timothy Wagner, DEP, stating that at any time a Municipality can amend or revise an Act 537 Plan. Mr. Bauder stated that he raised this question at the last meeting. What if they amend the plan, because West Hempfield was specifically listed in that plan as being in the same extension as Manor and they pulled out of the plan, meaning they found a legal way to get out of this. Mr. Bauder stated that he feels no government is so inflexible that they cannot respond to the citizens.

Dave Millisock, Spring Meadow Lane, stated that this is a classic example of a Charlie Foxtrot. He stated that Mr. Kreider is correct when he says that you have not documented anything so you really don't know. He stated in his opinion the Supervisors have not researched and they don't even know if they can legally amend the Act 537 Plan, except that a citizen has given them information on that. Mr. Millisock stated that he feels they need to step back and get the information together and get organized, which they are not at this point. He also stated that it is not fair for LASA to eat the cost for all the research they are doing for Manor Township when Manor Township already approved them doing the sewer installation when approving the Act 537 Plan. Mr. Millisock also stated that if any of them were asked to do work through their business, they would expect to be paid. Mr. Millisock stated that he did not feel the Supervisors had to stop all action as much as they need to have a meeting with the five of them and get their act together because they have organizational problems. Mr. Bauder stated that when they voted for the Act 537 Plan, they voted to have LASA do the sewer project. Mr. Bauder stated that he asked the manager at the last meeting if that plan can be amended and he did not get any answer. Mr. Asche stated that Mr. Bauder did get an answer from Mr. Smith and that answer was that the Plan can be revisited. Mr. Bauder stated that he feels we should stop. Mr. Millisock stated that this is all created by an organizational problem and all the Supervisors are doing is creating more problems where homes are not being sold. Mr. Millisock told the Supervisors that in his opinion this is not a difficult thing, they just need to sit down with the Solicitor, know what the laws are, do the research and find out if the survey is correct by a professional. The Supervisors stated they agree, but Mr. Millisock stated that it has been a year and a half already with no real results.

Mr. Bauder stated he agrees that they should stop and he made a motion that they stop everything until they get everything defined. Mr. Kreider seconded that motion. Mr. Bauder stated that he is making a motion to suspend indefinitely the implementation of the sewer extension into Perth Hills – Stone Mill Manor and Letort areas and move to amend the Act 537 Plan. Mr. Kreider seconded the motion. Mr. May stated he was not in favor of that motion until he would know exactly what that will involve. Mr. Breneman agreed. Mr. Kreider stated that the things he said tonight need to be answered before they can move forward but he noted that even though he did say we should stop totally and seconded a motion to that effect, he feels they need to take the position where they slow down and can not move forward till they get answers from management and maybe they should not totally stop. Mr. Bauder stated he wants to suspend and indefinitely stop construction and he wants to amend the Act 537 Plan to relieve the 5 year constraint. Mr. Kreider asked if that means to renew or start over again. Mr. Bauder stated yes. Mr. Kreider stated he did second that motion so he agrees with Mr. Bauder.

Mr. Breneman stated that he feels they are asking for two different things. He noted one they say stop the process and two they are asking to amend the Act 537 Plan. Mr. Breneman stated that he does not have a problem with amending the Act 537 Plan, but to stop where we are we don't really have any information to go forward anyway. Mr. Bauder stated that when the Supervisors adopted the Act 537 Plan, we agreed to have LASA put the sewer in within the next 5 years and unless we amend the plan that is what it is. Mr. Herr stated if we stop and throw out everything, then where do we go. He feels we gain something at every

meeting, why stop and start over. Mr. Breneman stated there is a meeting scheduled for next week, do we cancel that because you moved to stop everything. Mr. Herr stated that Mr. Kreider is the one that has asked to have the decentralized people talk to them so do they now cancel that because there is a motion to stop everything. Mr. May suggested they amend the motion that was made to just explore the amendment of the Act 537 Plan. Mr. Breneman agreed that would be ok.

Mr. Bauder withdrew the motion that he made. Mr. Kreider withdrew his second to the motion. After some discussion, Mr. Bauder stated he did not really mean that he wanted to stop the whole process, just the part with Act 537 Plan. Mr. Kreider made a motion to evaluate the Act 537 Plan. Mr. Bauder seconded the motion, the motion carried unanimously.

Ms Rugh asked if we need to know what LASA's final pre-bid figures are so we have something to work with. Mr. May stated yes, they need to refine their work so they can give us that. Mr. Herr stated that the \$16,000 that LASA first stated was a high estimate and after the data is together, it will change. Ms Rugh asked if the pre-bid should be in within the next month or two like was estimated. Mr. Kyle stated that they are hoping to have a pre-bid estimate in late September. Mr. Herr stated that this is all part of the process to have answers so they can compare the decentralized system costs to LASA costs and we can not totally stop this process. Mr. Bauder stated that he does not want to totally stop everything, he just wants to be relieved of the constraint of the Act 537 Plan because he believes the data was faulty. Mr. Kreider agreed with Mr. Bauder.

Mr. Guthrie suggested to the Supervisors that since they accomplished such good results from putting together a task force for the fire companies, why not follow the same procedure and model to put together and direct the same things for a sewer situation . He noted "what is" "what should be" and how do you get from one to the other. Mr. Kreider stated one problem with that is that we would have to have a citizens group that would represent all of Manor Township and he feels the people in the Northern end of Manor Township would in no way support anything that the people in the Southern end would want. He noted that people don't want to spend tax payer's money for a system outside their area when they had to pay to put their own sewer system in. Mr. May stated that to form a group like that does not result in the North end helping to pay, it would only be to do the study.

Tom Cavallaro, 145 Bender Mill Road, requested that each one of the Supervisors come to the August 20th meeting or supply him with a letter requesting that the Act 537 Plan be rescinded and that this Township start again. He stated they need a true assessment as to whether or not this is even a needs area. He noted that Mr. Bauder told him about a book titled The Septic System Manual and he advised each homeowner purchase one and stated that if we want to clean up the Chesapeake, we might want to keep our on lot systems instead of a public sewer system.

Ron Harper Jr., Lancaster Post, stated that he noticed that the LASA official stated they will not supervise or run a decentralized system and asked for a public answer to why they would not do that when this could be a viable solution. Mr. Kyle from LASA stated that it was a LASA Board decision to take the position that they would not choose to own or operate a decentralized system when they entered into the Act 537 Plan. He noted the 537 plan states they are putting in their system.

#### New Business

Noise Ordinance #5-2008 Mr. May stated they have the Noise Ordinance being presented tonight, but he wants to clarify that the form to file a complaint for the noise ordinance is not a part of the ordinance. He specified that a complaint must consist of two separate people such as two different citizens may file a complaint or one family and someone from the police force that hears it also. He noted it is not for grudges between neighbors. Mr. May stated this ordinance was drawn up by the Solicitor with direction by Mr. Smith, Chief Graeff and himself. He stated it has been advertised and is here tonight for comments. Mr.

Acts asked if this ordinance includes any time specifications. Mr. May stated time specifications are not listed because noise is noise. Mr. Bauder stated the only time frame is in reference to blasting and he would not be in favor of having time frames because people work all different shifts so it does not have time frames. Mr. Breneman agreed and stated that if a barking dog is creating a problem, it really doesn't matter what time of day it is. Mr. Herr read the definition of noise and a noise disturbance. Mr. Breneman made a motion to adopt the Noise Ordinance #5-2008. Mr. Herr seconded the motion.

Ray Dyer, Perth Hills asked if limitations could be put on running fans in chicken houses. He noted that they are annoying when they are running over night. Mr. May noted that if you turn off the fans, the chickens would die. Mr. Dyer stated that now we have a noise ordinance so why can't he make the complaint about them. Mr. Bauder stated that on page 5 of this ordinance, it exempts all farm related operations and activities for agricultural. Mr. Dyer still felt there should be limitations on how long the fans can run. Mr. Bauder stated that they should and they might look at putting in some sort of isolation or screening or baffles for this type of noise.

Clair Becker, 18 Money Hill Road, noted that the noise is louder when they are cleaning the chicken houses and not just on normal days. Mr. Herr stated it is probably when they are loading the chickens out and not cleaning and this is not a normal day to day basis.

Mr. May stated it has been moved and seconded to adopt Ordinance #5-2008. The motion passed with a unanimous vote. Mr. Strohecker stated that this ordinance has been properly advertised. Chief Graeff noted that there would be a warning first from an officer, when he is called for a noise violation and a citation could be issued on the second time they are called.

Draft Ordinance Vet Clinic Amendment – Mr. May noted this Ordinance has been reviewed by the Township Planning Commission with approval and Staff is not in opposition of the recommendation. He noted that he feels this is ready for advertisement and move ahead. Mr. Bauder made a motion that Ordinance #6-2008 be advertised as drafted. Mr. Herr seconded the motion, which carried unanimously.

Resolution #18-2008 Eagle Heights Open Space Deed of Dedication – Mr. May noted that the Township is in position to receive the required open space from Eagle Heights Development, as shown on the adopted and recorded plan. Mr. Herr made a motion to approve Resolution #18-2008. Mr. Kreider seconded the motion. Mr. Bauder asked where this land is at and if it is usable land. Mr. Strohecker noted that it is at the crest of the hill and relatively flat with a macadam path going through it, and it appears that it could accommodate a pavilion and limited playground area. Mr. May noted it is 3.74 acres. The motion carried.

Resolution #19-2008 Dedication of Right of Way of Eagle Path - Mr. May stated that Staff has inspected the site and the Solicitor has reviewed the documentation and found everything in order. Mr. Kreider made a motion to accept Resolution #19-2008, seconded by Mr. Breneman. The motion carried unanimously. Mr. Strohecker noted that everything has been properly advertised.

Resolution #20-2008 Dedication of Right of Way of Acorn Lane - Mr. May noted the site has been inspected, has been properly advertised and everything is in order. Mr. Breneman made a motion to accept Resolution#20-2008, seconded by Mr. Herr. The motion carried unanimously.

Proposal for Enola Low Grade Line – Mr. May noted that we need to purchase the railroad right-of-way from Norfolk Southern for the Enola Low Grade Line project. He noted it consists of approximately 5 miles in length located in Manor Township. He noted a guarantee from them that when we do purchase the land, they will give us one million dollars back toward construction and maintenance of the bridge. He noted that in order to have a deed, we need to have a portion surveyed and Rettew has quoted a cost of \$13,700 with Rettew giving a contribution of \$2,000 bringing the cost to \$11,700. Mr. May stated he has been made aware of the fact that there is a gap between Brenner Hollow Road in Conestoga Twp to the bridge. He noted a 30 day window that the survey needs to be completed. Mr. May asked Mr. Strohecker where he would propose to take the \$11,700 from. Mr. Strohecker stated that the expenses that they have already

occurred from this project has come out of the Capital Fund and the General Fund hoping that it will be a wash when the million is given back from Norfolk Southern. Mr. Strohecker stated that all the expenses are being tracked separately. Mr. Breneman noted that we should start receiving some money from LCSWMA who is contributing to this project. He stated it should be between 200 to 300 thousand dollars before the end of the year. Mr. Bauder asked who is doing the appraisal. Mr. May stated it will be Mr. Wainer and two others. Mr. Breneman made a motion to approve that Rettew do the necessary work to prepare a deed for the Enola Low Grade Line project. Mr. Herr seconded the motion, which carried unanimously.

Appoint Land Use Advisory Board Alternate – Mr. May stated that we need to appoint an alternative representative for the Land Use Advisory Board noting Mr. Bauder is the representative for the Board. Mr. May noted that this person would only be an alternate in case Mr. Bauder could not be there and suggested it be someone from the MTPC. The Board agreed and asked Ms Glazier if she would ask the MTPC if anyone would be willing to be the alternate representative for the Land Use Advisory Board.

Letter of Credit Crossgates Phase VII – Mr. May noted a request for a reduction in Letter of Credit #D003971 for Crossgates Phase VII. He noted that the current credit is \$716,336.31. The reduction request is \$268,751.81 which would leave a balance of \$447,584.50. He stated the site has been inspected and Staff is recommending to grant the reduction. Mr. Kreider made a motion to reduce the letter of credit by \$268,751.81. Mr. May seconded the motion, which carried unanimously.

Little Conestoga Creek – Mr. May noted that he has received a complaint from Christine Brubaker regarding activities in the flood plain along the Little Conestoga Creek. Mr. May stated Manor Township assisted in breaking up a log jam and trash clean up in the creek some time ago and Ms Brubaker has concerns now because there are ATV's making a lot of noise and ruining the bank of the Little Conestoga while they are playing paint ball games and erecting barriers. She is requesting some sort of buffer be planted to stop this. Mr. May felt they should look into what is going on. Mr. Herr asked if the property owners are allowing this to happen. Mr. May stated yes and Mr. Bauder noted that this would be private property. Mr. May stated that there was another complaint about a tree down in the creek and residents afraid there would be another log jam. He noted that Mr. Smith did look at the tree that was in the water and felt it was not a problem at this point. Mr. Breneman stated he felt they should look into the noise and creek banks even though it is private property because now with the noise ordinance we may be able to do something. Mr. Bauder felt we should possibly approach the homeowners and explain the problems and see if it can be resolved that way. Mr. May felt possibly to write letters. Mr. Breneman asked Mr. Dickert if he could look at the area. Mr. Dickert stated he would look at the situation. Mr. Harris stated he did go to the area last month because of a complaint and entered the area by way of a property on Ginko Court. That was for the complaint of the log jam. Mr. Harris stated in his opinion the tree does not propose a problem at this time. Mr. Harris noted that Ms Brubaker's complaint is not because of the log jam but the ATV's destroying the banks and the noise. Mary Glazier, Chestnut Grove Road, asked if DCNR has rules on changing any of the waterways. Mr. May stated yes and he will contact them to see what remedies they might offer. The Supervisors were in agreement that they would not do anything with the tree in the stream at this time but Mr. Dickert will check into the situation with the ATV's.

#### Correspondence

Administrative - Lancaster County Association of Township Supervisors – Mr. May stated that this is a golf outing and dinner and any Supervisors that wants to attend should contact the office. The Supervisors noted that the presentations at this event would be very beneficial to them.

Public Works – Geosynthetics Mr. May noted this is a request for the Manager and Road Foreman to attend updates from LTAP. After some discussion, Mr. Herr moved that the appropriate staff attend, if possible. Mr. Breneman seconded the motion, which carried unanimously.

### Traffic Commission

Mr. Harris stated the Traffic Commission met and old business was tabled because they are waiting for some data from Officer Gardner, who does the traffic studies. Mr. Harris noted that Mr. Smith did receive an email to consider a four way stop intersection at Hawthorne and Manor Ridge Drives and that was passed on to Officer Gardner. There was also a request for no trucks on several streets in the Manor Ridge Development.

### Police Report

Chief Graeff stated his report has been submitted. He went over the number of complaints and the type of complaints for the month of July. He stated there were 321 complaints for the month and 1249 telephone and radio calls for the month. Chief Graeff also noted that tomorrow night is the "National Night Out" to be observed in all Townships. He stated it will be held at the Manor Middle School from 6 PM to 9 PM .

### Road Foreman's Report

Mr. Harris stated his report has been submitted. He noted that last month they were scheduled to do overlaying and paving on the streets that were prepped and mid month, the asphalt spiked. That incident caused the suppliers to raise the cost of material to us and it caused us to stop because we use the liquid fuels monies. Mr. Harris explained how the liquid fuels fund works. He stated he has concerns with the effect all this has on trying to do the work and maintain the budget for the road department. He noted that they are to resume their projects on Monday. Mr. Harris stated that to do the roads that have been scheduled and put in the budget, it will cost more money than was budgeted. Mr. Harris went over the Highway Eight Funding process and proposed to the Board of Supervisors that instead of the proposed 2" blacktop, they cut the thickness back to 1 1/2" on the scheduled work and that will allow them to stay as close to the amount budgeted for 2008 as possible. He noted in his opinion it is better to do that than to cancel any of the roads since they are already prepped and ready for paving. Mr. Strohecker commended Mr. Harris and stated that Mr. Harris has spent a lot of time on this and by changing the thickness it will allow him to pretty much stay in budget. Mr. Strohecker stated we may come in 22% over budget but that will not cause a cash flow issue and they will not have to amend the budget because of it. Mr. Bauder asked Mr. Harris if they had put a little over an inch of blacktop on the northern part of Centerville Road, and stated that seems to be holding up quite well. Mr. Harris stated the amount is correct but he has concerns that the travel lanes there are showing more oil and wear and that is due to how thin it was. Mr. Harris stated that to put 1 1/2" of blacktop in the West Ridge area will probably be fine because it will not get the traffic that Centerville Road gets. Mr. Herr noted that he feels the 1 1/2" of macadam is better on a road that had been prepared than doing nothing at all and he feels costs are not going to come down, so he would agree to go on with the work. Mr. May made a motion to follow Mr. Harris's recommendation to reduce the 2" thickness on the prepared roads to 1 1/2" and move ahead with the projects. Mr. Herr seconded the motion, which carried unanimously.

### Park and Grounds Maintenance Report

Mr. Dickert stated his report has been submitted for the month of July. He noted that he has done the first treatment in the Woods Edge Park for the invasive purple loosestrife a little over two weeks ago and it appears that about 80 to 85 % control has been achieved. He stated he does have a permit to do two more treatments.

### Managers Report

Mr. May stated the report has been submitted and asked if there were any questions.

### Building Permits Report

Mr. Kreider read the report noting that the total number of permits issued in the month of July was 52 bringing the total number of permits for the year to 180 with a dollar value for the year of \$12,389,362. Mr. Breneman stated that he is surprised to see a jump in the building.

Ted Gingrich, 110 Bent Tree Drive, asked if there was anything new to report on the Wal-Mart issue. Mr. May stated that last week Matt Crème and Mr. Smith went to court and argued the Res Judicata issue. He did not know the results from that but noted that they were not very optimistic about the results but were pleased with the meeting.

Jim Huber, 113 Shannon Drive, stated he went to that hearing but it was in the judge's chambers and others were not permitted in. He noted that it was his understanding that the decision should be in 4 to 6 weeks.

There being no further business, Mr. Breneman made a motion to adjourn the meeting. Mr. Herr seconded the motion, which carried unanimously. The meeting adjourned at 10:00 P.M.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

Manor Township Supervisors Meeting

September 2, 2008

7:30 PM

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

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

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

Visitors present: See attached.

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

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

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

Solicitors Report - There was no solicitors report.

Brandywine Conservancy Presentation – Mr. May stated that Kathy Gonik and John Thilacker with the Brandywine Conservancy were here with information about the transfer of developments rights. He noted that they will be giving a presentation tonight on the Transfer Development Rights (TDR'S) Program. Mr. Thilacker gave a presentation explaining the program is a transfer of development rights from the land owner to the Townships and then the Township could sell the rights to be used in areas appropriate for development and preserve the farmland at the same time. He explained several townships and how they utilize the program. He noted that they also work well with the Agricultural Preserve Board and the Farmland Trust. Mr. Bauder questioned what enhanced value the receiver gets out of this. He noted that Manor Township has a Zoning Ordinance and a Comprehensive Plan and the process a resident could go through if they requested a variance or change. Mr. Bauder discussed several issues with variances and zoning changes. The Supervisors stated that this presentation may be beneficial for the Manor Township Planning Commission. Mr. May noted that he will contact Mr. Ahlfeld to schedule a presentation.

Business from the Floor

Roger Stoltzfus, 442 Central Manor Road, stated he is here to complain about his neighbor again. He noted a problem with weeds, grass, and a deflated swimming pool stating that generally the property is a mess. He stated weeds were cut last month, when he complained and placed on a trailer which is still sitting there loaded with those weeds. Mr. Stoltzfus also noted he has concerns about mosquitoes in the deflated pool where some water lies. He also noted there is anywhere from 17 to 22 dogs in the house. Mr. Stoltzfus stated he has contacted surrounding Townships to get their ruling on the number of dogs you can house on a property. He stated most have a ruling of 3 to 4. Mr. Stoltzfus stated that he has complained before and feels nothing is really being done to correct the situation. He noted that the Supervisors have passed a noise ordinance but that does not affect the number of dogs.

Mr. May asked if he has ever offered to help the neighbor clean up their property. Mr. Stoltzfus stated they do not talk.

Mary Stoltzfus, 442 Central Manor Road, stated you can not talk to these people and none of the neighbors get along with them. She stated that the yard stinks from the amount of dogs. She stated the residents do have health issues but she feels they can still clean the property up. Ms Stoltzfus asked the Supervisors what can be done to get this property cleaned up. Mr. May noted that she could circulate a petition in the neighborhood. Mr. Kreider asked if the animals are being cared for. Mr. May noted that the Humane League has been called to the house and they have found no violations. Mr. Bauder asked Mr. Stoltzfus about the ordinances he looked into. Mr. Stoltzfus stated that the ordinances from other townships he was referring to were just called an animal ordinance. Mr. Stoltzfus asked what he needs to do to get some sort of ordinance to limit animals for Manor Township. Mr. May stated that he could circulate a petition with the neighbors and present it to the Board.

### Old Business

Letort Manor- Perth Hills Sewer Project Melissa Rue, 103 Catalpa Lane, expressed concerns that she and the residents of Letort have been here many times, and ask the Supervisors to take the time to think through the Manor sewer project and come up with a detailed plan of action determining who will be responsible each step in that plan. She noted there are many questions that need to be answered soon because LASA is continuing forward. She noted that in her opinion the project is moving too quickly with no word other than the cost to each resident is still \$16,000 plus to put it in. She felt there is little progress since spring and no progress in helping the homeowner with the cost. She expressed concerns that the Supervisors are not making any motions and following through with the plan to lower the cost to the homeowner. She stated that at last months meeting there was a motion to reevaluate the Act 537 and nothing has been done to move forward. She asked several questions and who will make a decision on the decentralized system so they can move forward with the project. She questioned if LASA will be asked to pay more than 1/3 of the project and will the Township be willing to help with funding. She noted many questions with no answers month after month and nothing has been accomplished and the residents feel that the elected officials are not helping them enough.

Ken Ashe, 116 Spring Meadow Lane, thanked Mr. Smith for a list of people who have been contacted for money for the sewer project. Mr. Smith noted that the list is potential funding sources and there has been some general contact but they are looking for opportunities but can only compare the list of sources once they are able to define exactly what the project is. He stated not each agency will be contacted for applications but only those that would be appropriate. Mr. Ashe questioned ways we could get funding and programs that have been addressed. He noted that DEP will be having another meeting where LASA and Manor Township will be invited to help get funding through Penn Vest.

Melissa Rue, 103 Catalpa Lane, asked what steps to move ahead would be next. Mr. May stated LASA will not be doing any digging until bids would be put out. Mr. Smith stated that LASA's tentative schedule is that they believe they will be ready to bid for the project in November but the Township must make a decision if we want them to do that. LASA will not be digging unless we tell them to. Mr. Smith stated that when the Township makes the decision which way they are going, then they can investigate funding potential. Mr. May stated that he would not be in favor of doing a new Act 537 plan because he feels it would have the same result that sewer is needed in the area. Mr. May stated he would be in favor of going back to LASA to renegotiate the amount they pay. Mr. Bauder stated that they do need to make some decisions and he stated that he is convinced that the decentralized system will be too much money only because of land acquisition. Mr. May stated that

he does not want to pursue the decentralized systems any further. Ms Rue stated that she spoke to the person that is running the decentralized system at East Salem and he recommended that if they can find grants to go with LASA, then he would advise them to go with LASA. Mr. May and Mr. Herr agreed. Mr. Herr noted that when the costs were added up for the decentralized system, it was higher to go that way versus LASA. Ms Rue asked if LASA must wait for the approval of the Supervisors before they can start to dig. Mr. Smith stated that LASA will not award the bid before approval and action from the Board of Supervisors. Mr. Asche asked how long from the time the project starts until the individual homeowner will be billed for anything. Mr. Smith stated he believes it will be at the time of connection and he explained the process for funding. Mr. Asche suggested the Township pay an expert to do research on the funding. Mr. Smith stated Rettew, who is the Township engineers, are working on this and they are quite adequate in grants. Ms Rue questioned why we have not gone back to look at the Act 537 Plan like they stated. Mr. Bauder stated if the bids do not come in like they wanted, they may still have to go back to look at the Act 537 Plan and amend it to relieve the Township from the 5 year plan. Mr. Bauder stated that the only system that looks viable at this point is the gravity system such as LASA and what we need to do is find funding.

Frank Hoke, 110 Velma Lane, stated he did attend the DEP meeting where they discussed extending the time frame in the Act 537 Plan and feels the main issue is to get this finished. He agreed the decentralized system is not going to be cost effective. He discussed grant money and the fact that DEP will not be rescinding the Act 537 Plan. He felt we need to move ahead, decide on funding and fix the problems. He noted that the prices of homes are down in their area and a lot of it is due to the uncertainty of the sewer. Mr. Hoke stated that he feels Penn Manor should be approached to have them be responsible for a bigger financial portion than what is currently required of them. He also went over a bond being floated by the Township to help or some other help from the Township. He noted next year the Township is proposing \$130,000 for streetlights and he knows their area is not getting streetlights, but he will be helping to pay for that. Mr. Hoke asked if there was a possibility to use some of the landfill money to fund the sewer project and stressed that the Supervisors act now and don't sit on all this.

Ray Dyer, 139 Nicholas Road, stated he talked to a resident in Milford Township, Juniata County, and they are going through the sewer process also. He noted that they are in the process of installing sewer right now and the cost will be \$5,000 to each homeowner. He suggested the Supervisors contact them and inquire about the amount of grant money they received.

Ed Shane, 104 Velma Lane, stated that West Hempfield withdrew in the beginning negotiations with LASA and went with Columbia Sewer Authority. They got funding and reduced the cost to the residents to \$3100 and asked the Supervisors to look into this also. Mr. Smith stated that in the case of West Hempfield, they did include a small area, with a few homes that was located close to Columbia Sewer lines, to be hooked up to Columbia Sewer but they have not withdrawn from LASA and they are still a member of LASA with a representative on the Board. The Board discussed this hookup.

Mr. Kreider stated he has been quiet until this point. He stated that when this all started there were residents that were unhappy because they had spent a lot of money to put an on lot system in and now if they get sewer, they will have to abandon it. He stated that he is confused because he did not hear anyone say that tonight, only that they are in favor of LASA. He noted in the past he was feeling sorry for the people that said they put a lot of money into their sewage system and are now asked to hook up to public sewer. He stated that he was only in favor of the decentralized system to be researched, and now it has been proven to him that the decentralized system for the whole community is not the way to go but no one has convinced him that LASA is the answer either. Mr. Kreider stated the people here tonight want LASA but they don't want to pay for much and they want the Township to get the

funding. Mr. Kreider stated that funding is hard to get and he hopes they will not be disappointed with what funding they might be able to get.

Mr. May stated he is aware of the fact that there are homes in this area that have had to spend a lot of money to make their systems work, but he also knows there are homes that have systems that are not able to be repaired. Mr. Kreider stated you have to think outside the box on that and find another way. There was discussion on the possibility of getting water for the area and Mr. Smith stated that Columbia Boro made application to PUC and he suspects that they will get the franchise for this area. He noted that Lancaster City made no attempt to do this.

Enola Low Grade Line - Mr. May stated that the survey work is very close to being completed. He hopes to have the appraisal of the line some time in September. Mr. Smith noted that they are in the process of funding assistance.

#### New Business

Vet Clinic Amendment - Mr. Smith stated that whenever there is a change to a proposed ordinance, it must go through a process. He noted that the MTPC made a recommendation to change it to simplify it and the Supervisors have agreed to do that. Mr. Smith noted this proposed, draft amendment states this is an ordinance, amending the MT Code of Ordinance, Chapter 27, by amending section 405, animal hospitals, veterinary facilities, and kennels, by deleting section 405.2. Mr. May made a motion to authorize Staff to pass this draft on to the Manor Township Planning Commission and the Lancaster County Planning Commission for their review. Mr. Breneman seconded the motion, which carried unanimously.

Mr. Breneman noted he would like to extend the information about TDR'S on to the planning commission. After some discussion, Mr. Breneman made a motion to make the TDR Presentation available to the Manor Township Planning Commission. Mr. Bauder seconded the motion, which carried unanimously.

Resolutions – Mr. Smith stated that all resolution documents have been reviewed and public works has done a formal inspection and the recommendation is to pass these resolutions accepting dedication of the road right of ways.

Resolution #21-2008 Dedication of Right of Way of Hampden Drive Mr. May made a motion to approve Resolution #21-2008, seconded by Mr. Kreider, motion carried unanimously.

Resolution #22-2008 Dedication of Right of Way of Knollwood Road Mr. May moved to approve Resolution #22-2008, seconded by Mr. Kreider, motion carried unanimously.

Resolution #23-2008 Dedication of Right of Way of Bradford Street Mr. Bauder made a motion to approve Resolution #23-2008, seconded by Mr. Herr. The motion carried unanimously.

Resolution #24-2008 Dedication of Right of Way of Cartledge Lane Mr. Herr made a motion to approve Resolution #24-2008, seconded by Mr. May. The motion carried unanimously.

Uniform Pension Plan Minimum Municipal Obligation Mr. Smith stated that this is the standard MMO that the Township is obligated to prepare in September. Mr. Strohecker noted that the cost has come down by just under \$4,000. Mr. May made a motion to approve the Uniform Pension Plan Minimum Municipal Obligation for the 2009 budgeting purposes in the amount of \$178,900. Mr. Breneman seconded the motion, which carried unanimously.

Non-Uniform Pension Plan Minimum Municipal Obligation - Mr. Herr made a motion to approve the Non-Uniform Pension Plan Minimum Municipal Obligation for the purpose of the 2009 budgeting in the amount of \$182,196. Mr. Kreider seconded the motion, which carried unanimously.

Harry Kinser Sewer Permit - Mr. May stated this is an isolation distance waiver for Mr. Kinser. He stated the Township has received a letter from Mr. Lockart, the sewage enforcement officer, noting the steps to take for a solution of this failed system. Mr. Smith explained that due to the nature of the older developed properties, he is recommending approval. Mr. Breneman made a motion to approve the waiver for Harry Kinser. Mr. Herr seconded the motion, which carried unanimously.

Act 67,68,127 Notice for Rohrer Dairy LLC – Mr. Smith stated this is a standard notification that the Rohrer Dairy LLC has a water quality management project that includes the construction of a reinforced concrete underhouse manure storage.

Planning Commission Appointment Mr. May stated they have gone through interviews with four candidates and all are very qualified. However, they have come to a consensus and are ready to make an appointment. Mr. May made a motion to appoint Mr. Mark Harman to the vacancy on the Planning Commission Board. Mr. Bauder seconded the motion, which carried unanimously.

Zoning Hearing Board Appointment Mr. May stated when the interviews were being conducted; they also choose a person to fill the alternate position for the Zoning Hearing Board. Mr. May made a motion to appoint Lynn Miller as the alternate member for the Zoning Hearing Board contingent of acceptance from Ms Miller. The motion was seconded by Mr. Breneman, which carried unanimously.

#### Correspondence

Mr. Smith stated a request for Mike Dickert to attend a Safety and Health Conference since he now oversees our safety program.

Mr. Smith also made a request to have Cpl. Gary Strock attend a Priority Seminar by request of Chief Graeff.

Mr. Smith also stated a request from Chief Graeff to have Sgt. Carolyn Gundel attend the Command Institute for Executives.

Mr. May made a motion to approve all three training requests and the Township pay the necessary expenses. Mr. Kreider seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff stated that the meeting was held Aug. 27, 2008. He noted that under old business was a traffic study by Officer Gardner for speed limit signs on Locust Grove Road and the Committee voted to post the Manor Township portion of Locust Grove Rd with a 35 MPH speed zone.

Chief Graeff stated they established the speed limit on Old Blue Rock Road. After study, Officer Gardner recommended a 25 MPH speed zone be established from Ironstone Ridge Road to Blue Rock Road.

Chief Graeff also noted a traffic study completed for no trucks except local deliveries in Manor Ridge and stated that Officer Gardner recommended signs be posted.

Mr. Kreider made a motion to approve the three above recommendations from the Traffic Commission. Mr. May seconded the motion, which carried unanimously.

Chief Graeff stated there were two studies that the Traffic Commission did not find in approval of. He noted a request for a three way stop intersection at Weaver Road and Post Oak Road was not recommended by Officer Gardner and the Commission did not approve it. Chief Graeff also stated a request for a four way stop sign at Hawthorne and Manor Ridge Drives. He noted Officer Gardner felt there was no site issues and did not recommend approval. The Commission did not approve the four way stop for Hawthorne and Manor Ridge Drives.

#### Police Report

Chief Graeff stated he has submitted his monthly report. He went over the statistics and noted that the National Night Out was held Aug. 5, 2008 and it was well attended. He also stated that they are advertising for the 2<sup>nd</sup> Annual Citizens Police Academy that will start Sept. 11, 2008.

#### Road Foreman's Report

Mr. Harris stated it has been a very busy month. He noted they completed the paving projects, the line painting and the curb replacement and restoration in the Bowling Green development. He stated they are hoping to complete the work on Miller Road in the month of September. He noted there will be some storm water issues to address in the fall season.

#### Park & Grounds Maintenance Report

Mr. Dickert stated they completed routine maintenance. He stated that the Purple Loosestrife that they have been treating is now under control.

#### Township Manager's Report

Mr. Smith stated that his report has been submitted. He noted that Judge Miller's ruling in the Res Judicata issue that was before her was not ruled in the Township's favor. Wal-Mart's motion to quash succeeded. Mr. Smith noted that the Judge left the path open that there will be more opportunity if another application is submitted. Mr. Bauder asked under what circumstances Wal-Mart might want to submit another application. Mr. Smith stated that if Wal-Mart does not meet the conditions of the approved plan and the time frame expires then they would have to come back again.

#### Building Permit Report

Mr. Kreider read the building permit stating the number of permits for the month of August. He stated the number of permits for the year is 202 compared to last year at this time being 290.

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

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

## Manor Township Supervisors Meeting

October 6, 2008

7:30 PM

Chairman John May called the meeting to order at 7:30 pm in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Mr. May asked for a moment of silence in memory of Cpl. Thomas E. Zug, retired from the Manor Township Police Department after 30 years of service and who passed away unexpectedly this past week.

Roll call was taken noting all Supervisors present.

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

Staff present: Barry Smith, Ryan Strohecker, Mike Dickert and Rita Young.

Visitors present: See Attached.

### Minutes

Mr. Breneman made a motion to approve the minutes from the September 2008 meeting as drafted. Mr. Herr seconded the motion, which carried unanimously.

### Bills

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

### Financial Report

Mr. Bauder made a motion to approve the financial report as presented, noting he had discussed some typing errors with Mr. Strohecker. Mr. Kreider seconded the motion, which carried unanimously.

### Business From the Floor

Bonnie Miller, 113 Bent Tree Drive, expressed her concerns with the lack of responsibility that she feels this Board and the previous Board along with the County in allowing high density development to come into Manor Township. She noted that she will be looking into all of it. She expressed concerns that emergency vehicles, school busses and fire trucks can not manipulate in some of these cul-de-sacs and some streets. She felt some areas were not calculated correctly. She also expressed concerns that there are homeowners that are moving into areas like Hershey Mill Road where their properties are not being respected and she felt there may be a need for more police to help with this situation and have safer communities. She noted with high density comes high population and higher tax monies and now peoples properties are not being respected. Mr. May asked Ms Miller to clarify how they are not being respected. Ms Miller stated neighbors are not respecting each other with dogs, trash or trespassing and throwing cigarette butts. Mr. Bauder asked if there was a homeowners association. Ms Miller stated yes. Mr. Bauder stated that problems between property owners are usually handled by the homeowners association. Ms Miller stated in this case, the developer owns a lot of the rental units so the developer runs the homeowners association until it is "sold out" to individuals. Mr. May thanked her for her comments.

Jesse Storm, 1505 Manor Blvd., stated that he is paying tax dollars for the Police force in Manor Township and expressed his dislike in the way the Manor Township Police do not follow some laws that are listed. He read an excerpt of law under child kidnapping and noted he has talked to the police chief about this and custody and visitation rights. He noted he was informed that Manor Township police do not use this particular section of law unless a parent comes from

out of state to get a child in our community, at that time they could fine them. He felt this is not right and this law should be used all the time, not just when the police want. Mr. May stated that the Police Chief has talked to him about this situation and he is in the process of talking to the District Attorney about what can and can not be done. Mr. Storm stated that he has talked to the DA and DJ Steadman and was told to go back to the local police. Mr. Storm stated he is asking that we have the police protect our children and noted that he runs a non profit organization to fight for the rights of our children. Mr. May thanked him for his comments.

#### Old Business

Letort Manor/Perth Hill Sewer Update Mr. May stated that LASA sent a letter to the Manor Sewer Committee stating that they are exploring financing for the project and there is a meeting scheduled with DEP, to be held Wed. Oct. 8<sup>th</sup> at the Manor Township Maintenance Building, regarding grant money or possible relief at the State level. At the request of those present Mr. May read the letter that was sent to the Manor Sewer Committee from Alexander Henderson, III with LASA dated September 25, 2008. The letter expressed that LASA will explore possible funding from the Commonwealth Financing Agency(CFA) under SB2 and from Act 64-2008 if the \$400 Million Infrastructure referendum passes in November 2008. LASA will be meeting with the Township, DEP, and various grant agencies to further explore State funding opportunities and stated they do not intend to increase their contribution to the project over and above the currently estimated amounts. The letter stated that the cost of this special interceptor, force main and pump station is approximately \$2.8 Million or about \$10,500 for each of the existing 266 homes which would be served. Mr. Kreider stated he has spent time looking over Arrow's reports to Manor Township and he has a lot of unanswered questions. He noted he has asked for testing to determine if contamination is human, plant or animal fesses in the wells and if it is not human then why put sewer in. He noted with the economy the way it is, he feels LASA must pay for the infrastructure and the people pay for hook up only and stated if it can't happen that way then we should not put the sewer in. Mr. Bauder agreed with Mr. Kreider and added that he has done his own survey with 160 respondents out of 266. He noted that the Board and management were not happy that he did his own survey. Mr. Bauder stated his results show only 2 homes would accept the LASA deal as is and over half said they would accept it if the cost was cut in half. He noted that most of the letters stated that they can not afford the LASA deal as it stands and they are powerless in making any of the decisions. Mr. Bauder stated in his opinion this was all handled very badly right from the beginning and he apologized for voting yes for the Act 537 Plan which he feels is seriously flawed. Mr. Bauder stated that in his opinion the plan between Arrow and LASA was pursued in a pre-determined result and he concurs with Mr. Kreider that the infrastructure must be put in at the cost of LASA and let them build it into their rate structure. He stated he has never heard of a utility charging for the capital infrastructure. Mr. Bauder stated that the Act 537 Plan shows his personal system is malfunctioning and noted that his system is good. Mr. Bauder noted the plan puts emphasis on contaminated ground water and in his opinion putting the sewer systems in is not going to fix the contaminated ground water and his bottom line is sewer lines must be installed at no cost to the residents. Mr. Kreider stated that the mail in surveys that were completed by Arrow is not acceptable for Pen Vest to apply for money and in order for a survey to count the survey had to be conducted door to door. Mr. Smith noted that Mr. Kreiders statement for surveys is correct at this time but the door to door ruling for that was made after the Act 537 survey had been started in 2001 and then had been completed. It was amended by Pen Vest a number of years later. Mr. Smith noted that he feels we could argue the fact that the present ruling was not in place when this

survey was conducted. Mr. Kreider stated he feels these kind of facts have been omitted and should have shown up somewhere. Mr. Bauder read a letter from Ed and Carol Shane stating that they feel a large majority of the resident's, feel LASA should stop any work immediately. They want LASA to pay for the infrastructure, 24 failed systems re-evaluated, the Township Supervisors and manager to develop a new plan to meet DEP standards and they want the Township manager replaced on the LASA Board because they feel there is a conflict of interest.

Vali Cavallaro, 145 Bender Mill Road, stated it has been one and a half years since the first meeting for this. Residents have done research but have limited time to express their opinions and in her opinion the Township has done nothing to help them. She stated that she feels nothing has changed in all this time and the project has been miss-managed from the beginning. She requested that the Supervisors provide another public meeting to be held at the Manor Middle School so all residents can express their opinions.

Tom Cavallaro, 145 Bender Mill Road, stated that at the last meeting the Supervisors stated that they are not hearing from the residents that are opposed to the sewer. He stated he spoke to 24 households in their area and 22 want the sewer plans stopped and a public meeting held. Mr. Cavallaro read statements and comments from Dawn Areford, who has concerns for her elderly mother who must connect, Carol Diller who will have to get a part time job to pay for the sewer connection, and Mike Vonderhide who expressed his concerns that all the work for this project was done behind closed doors. He noted that the bulk of the homeowners in this area do not want the sewer. He referred to a May, 2008 meeting at the Manor Middle School when almost 150 homeowners stood up in protest and requested that this entire project be stopped. He stated that they feel the only purpose of this sewer project is to bring sewer to this area and defer the cost of sewer to land to be developed in the future. He noted that the school and new church will be hooking up to the sewer but properties that the sewer will run through; do not have to hook up unless their systems fail. He noted the best option will be for the homeowners to choose if they want to hook up to the sewer and at this point, most people do not want the sewer. Mr. May stated he did not feel they could support the expense to do another Act 537 Plan. Mr. Bauder stated we know that the people do not want the sewer by his survey but what they don't know is which systems are failing and which are ok, and that needs to be determined. Mr. Bauder stated that he feels we should send the SEO to determine the failing systems. Mr. Cavallaro continued and read statements from Kevin Dombach stating that the on lot systems in his area are working fine, Clair and Mary Ann Becker stated they were not happy with the proposed costs and they maintain their septic system properly, Tim Honener noted that when this area was in the planning stages years ago, most of the failed perk tests should have been a red flag at that time to have larger lots or public sewer at that time and Francis Ergood explained the process that fixed their system and felt that the people in Letort should have the option to fix their systems if that is what needs done instead of public sewer. Mr. Cavallaro noted that the reason for this sewer is to correct the drinking water quality and the Chesapeake and he feels that the sewer installation will do little or nothing to correct the drinking water. He feels this project is a sham and the project should include public water. Mr. Cavallaro presented petitions from 45 households stating that they do not want the sewer and they want a public meeting before it goes any further. Mr. Cavallaro proposed to amend the Act 537 Plan, stop the sewer, require existing homes to pump and maintain the existing sewer systems with the help of the Township SEO, and have the Township provide maintenance information about this to all homeowners in the Township with on lot septic systems. Mr. Cavallaro proposed that all 250 households affected by this give approximately \$500 which would give them \$125,000 and start to form a sewer fund that could be used for those with extra ordinary

sewer expenses. Mr. Cavallaro stated DEP would not rescind the Act 537 Plan but they did state that it could be amended.

Ken Ashe, 116 Spring Meadow Lane, stated that the Manor Sewer Committee currently has 140 signatures on a petition to drop the infrastructure fee from the cost of the sewer. He noted that it does appear that there are now several groups with different opinions about how they should proceed with the sewer issues. Mr. Ashe stated he feels the Act 537 Plan is flawed and he feels the homeowners would be able to file some type of case against it. He hoped they would not have to do that and asked that the Supervisors continue with the project and find grant money or tell LASA that they must pick up the infrastructure cost and move on. Mr. Ashe stated that the Manor Sewer Committee has contacted Katie True and she responded that there is grant money available but it is the Township's responsibility to file for them. Mr. Ashe gave the Supervisors information to contact Delta Development Company that will write grants, for a fee. He noted Larry Lawyer from the company.

Melissa Rugh, 103 Catalpa Lane, stated she did notify the Supervisors about someone in Dauphin County for grant writing and she hoped that the Supervisors will contact this company for help. She also noted she would like to see another public meeting take place. Mr. May stated he would be in favor of another meeting but would like to have more information before it takes place. Mr. Smith noted that LASA has stated they would like to put bids out in Nov or Dec but the Township needs to determine some things before LASA would award any bid. Mr. Bauder stated that in his opinion the residents are more organized now but wondered if they should have information on grants before another public meeting takes place. Ms Rugh stated it takes two months to even get the meeting scheduled and with allowing for advertising time she felt they should start now. Mr. Ashe asked if they can have a select work meeting with Supervisors and representatives from these groups. Mr. Bauder stated if they have a select few for a meeting, then there will be people that feel they have been excluded. Mr. Herr asked if, when Mr. Ashe referred to proceeding with the sewer installation, was that comment his personal feeling or was he representing the 140 people that have signed his petition. Mr. Ashe stated it was from the people signing the petition but it meant to continue with the project with no cost for the infrastructure. Mr. Ashe asked why they can't apply for the grants now. Mr. Smith stated they will be meeting with DEP this week. Mr. Bauder felt that LASA gave a defined plan about two years ago and he thought that would be a basis for applying. Mr. May stated he will take all these comments into consideration and he is hoping the next meeting will help. Mr. Bauder agreed.

Tom Eckert, 2 Dublin Drive, stated he was surprised with the final plan and realized that the sewer lines will not be going in the easement s along the road, but instead a lot will go through back yards and through areas with large trees. His concerns seem to be that this is a result of prior mismanagement. Mr. Eckert would like residents to have a right to say that they do not want the sewer lines going through their back yards. Mr. Eckert also stated that not everyone belongs to the groups and they feel they have already elected five people to represent them as residents of Manor Township and they would like to be included in everything even though they are not a "group".

Mr. Kreider stated that if there is another public meeting he would like it to include Arrow since he has questions for them that have never been answered. Mr. May agreed with Mr. Kreider but also stated that tonight was the first he knew that to apply for a grant with Penn Vest it states that the survey must be door to door to be valid. Mr. Smith stated he does feel we would be a valid applicant since it was not the rule at the time our survey was conducted.

Kevin Manuel, 102 Velma Lane, stated in his opinion the well contamination is mostly from farmers and sewer installation will not solve that problem. He felt most of the failing sewer

systems would be able to be fixed and let the people vote yes or no if they want the sewer and go with the majority. Mr. May stated that even if we would do that we are still mandated by Act 537 Plan.

Eric Steffy, 180 Carol Drive, stated that he asked for a door to door survey two year ago. Mr. May stated that the Act 537 Plan does not ask residents what they might want, it is a survey conducted by engineers to tell residents what you have existing.

Mr. Bauder stated that out of his survey of 160 households, there were only 11 people that said their on lot system was a problem.

William Zell, 144 Bender Mill Road, stated in his opinion the Board has delayed too many times.

Mr. May stated the Board will take everything under advisement and will be able to make some decisions after Wednesdays meeting.

Vali Cavallaro, 145 Bender Mill Road, stated she does not understand why the Board of Supervisors have so many different opinions on this and she feels the Board needs to tell the residents what they want from them to be able to move on. Mr. May stated they are hoping to have answers after the DEP meeting and they can come to some agreements. Ms Cavallaro asked how long they have to wait to find out the results from the DEP meeting.

Bill Renshaw, 26 Dublin Drive, asked if the Board could do a mailing to all the residents whose properties would be affected by the public sewer.

Mr. Kreider stated they should have a meeting with Arrow, LASA, and any residents that want to come so we can come to a decision for the next step. After some discussion on how information could reach all the people involved, Mr. Bauder suggested that the information could be put on the township web site but the problem with that is not everyone has a computer. The residents asked if the DEP meeting this week is open to the public. Mr. May stated it is open to the public and that the meeting will be held at the Manor Maintenance Building on Blue Rock Road at 10 AM on Wed. Oct 8, 2008.

Mr. May called for a five minute break.

Enola Low Grade Line Update - Mr. May stated that the Lancaster County Conservancy has asked that if they take title to the Manor Township's portion of the Enola Low Grade Line, who would be responsible for the liability issues. Mr. Kreider asked who would hold the insurance. Mr. May stated the Conservancy would if they take title and it would be inexpensive for them because the land would be a rider on their policy. Mr. May stated he has drafted a letter to Mr. Ralph Goodno, Executive Director listing what Manor Township would be responsible for and the safety issues that the Township would address. Mr. Bauder stated he has issues with stabilizing the trestle bridge and the fence because it could lead into a big cost to the Township. Mr. May stated it will be addressed in the appraisal. Mr. Bauder stated that in his opinion we should not allow horse back riding. Mr. Smith noted that a lot of the features to the trail will be determined during the design phase. Mr. Herr also expressed concerns of the stabilization of the trestle bridge. After some discussion, the Board agreed that they will wait until they have the appraisal for the final commitment and want the letter to reflect that. Mr. Breneman made a motion to authorize Mr. May send the letter to The Lancaster County Conservancy with the conditions stated. Mr. Kreider seconded the motion, which carried unanimously.

Millersville BIC Lot-Add-On Mr. Smith stated that this item will be retained for next month at the November meeting.

LCPC Envision Partnership – Mr. May stated that the Board was asked to sign on to this in the past and declined and now the County has come back and asked that they reconsider. Mr. Breneman stated he has revisited the information and does not see a problem. Mr. Herr stated that in the past they felt it was repetitive but could support it now because it seems to be going in some new direction. Mr. Bauder noted he had a concern that it would be another tentacle of the Lancaster County Planning Commission that will require our management to submit more paperwork and he is concerned that the Township loses more autonomy. Mr. May stated he did not think so. The Board discussed what roles the Township would have in this. Mr. Bauder was opposed to this and stated the County already comments on everything they do anyway. After further discussion Mr. Bauder noted that he is not happy with some high density development that has taken place in Manor Township because the County approved it. He noted we have high density, low cost homes with lots of kids and no where for them to go and they are playing in the streets. Mr. May stated he agrees with some that Mr. Bauder has stated but he feels it has nothing to do with the Township participating in this program. Mr. May made a motion that they enter into the Envision Partnership with Lancaster County. Mr. Herr seconded the motion. The motion carried with a 4 – 1 vote, with Mr. Bauder voting no.

LASA Driveway – Mr. May noted that LASA is requesting permission to install a water-permeably surfaced driveway located along Central Manor Road. He noted since a portion of the driveway will be located within the floodplain, LASA would like to use grass pavers to construct the driveway. Mr. Smith clarified that this request is a step in the process of potentially having the public sewer come to that area. Mr. Herr made a motion to grant the request by LASA for a Special Exception Use proposed in Section 211.6.1.A for the proposed site on Central Manor Road. Mr. Bauder seconded the motion, which carried unanimously.

Land Use Advisory Committee Appointment – Mr. Bauder made a motion to accept Pam Shellenberger as the alternate representative from the Planning Commission on the Land Use Advisory Board. Mr. Breneman seconded the motion, which carried unanimously.

Sewer Fund and Capital Fund transfers to General Fund – Mr. Smith stated these were anticipated budgeted actions. Mr. Bauder made a motion to transfer \$75,000 from the Sewer Fund to the General Fund and also \$200,000 from the Capital Fund to the General Fund. Mr. May seconded the motion, which carried unanimously.

Norfolk Southern Rail Yard Relocation – Mr. May stated he has added this noting that LCSWMA has authorized Lancaster General Hospital and F&M College to clean up the Armstrong Landfill. He stated he has received information about this and has concerns because it contains asbestos. Mr. May noted that he would like to make sure things are handled correctly when being moved to the landfill. Sean Callahan, 14 Money Hill Road, stated that there are rules in place for removing asbestos and they would have to be followed no matter who gets the job. Mr. May stated he will follow up on this.

Officer Kinard Probationary Review – Mr. Smith stated that Chief Todd Graeff is recommending that Officer Justin Kinard be released from his probationary status and provide him with his permanent status. Mr. May made a motion to move Officer Kinard from probationary status to permanent status. Mr. Breneman noted everyone is pleased with Officer Kinard. Mr. Kreider seconded the motion, which carried unanimously. Mr. Smith stated that will be made affective as of the last pay period of October.

Police Regionalization – Mr. May stated they have received information from the Borough Council of the Borough of Columbia with a request regarding police regionalization for perhaps Manor Township, West Hempfield Township and the Borough of Columbia. Mr. May stated that

he would not be in favor of making any motion to do this. Mr. Breneman agreed stating they have looked into regionalization before and did not feel it was what they wanted at this time. Jessie Storm, 1505 Manor Blvd., asked if having a regionalized police force would lower the cost over all for police. Mr. Breneman stated that when they looked at regionalization before the initial cost would be quite a bit higher and you would probably end of having less coverage than you have now. Mr. Smith stated they have gone through two task force efforts in the past, but it would be up to the Board if they would want to explore the lengthy process again. Mr. Bauder stated he would not be in favor of merging with Columbia Borough but he would check with the West Hempfield and East Hempfield. Mr. Smith stated he will respond to Columbia Borough. Ray Dyer, 139 Nicholas Road, stated that he is retired from law enforcement after 25 years in supervision and in his experience Manor Township is a large area to cover and he feels we are better served by staying within our own area and stay the way we are. Mr. Herr stated that is pretty much the way the Board felt the last time they looked into regionalization but we could keep the door open.

PA Cleanways – Mr. Kreider stated that he sits on the Board of the Chestnut Grove Foundation and they have received a request from the PA Cleanways Committee to aid in locating dumps in our county. He noted they are funded by DEP and EPA so no money would be requested, just information. Mr. Kreider explained that this organization would come in and track where the unidentified dumps are located and eventually clean them up. Mr. Kreider felt this would be good for the Township to get involved because all they are asking for is to help identify where the dumps are. Mr. Bauder stated he has a concern for this because there are a number of farmers that have filled in erosion ditches and he would not like to see those people harassed due to some type of technicality in this. Mr. Smith stated the key here would be the definition of what is an illegal dump site. Mr. Breneman stated he would need more information about this.

#### Correspondence

Mr. Smith recommended that the following seminars and work sessions be approved.

2008 APMM Fall Managers Seminar with Mr. Smith attending and necessary expenses paid.

Lancaster County Zoning & Building Permit Officials Manufactured Housing Training with a request for Mr. Ott to attend with the necessary expenses paid. Mr. Smith noted that these are certification courses that Mr. Ott needs.

DCNR Playground Safety Inspector Certification and the request is for Mike Dickert to attend with the necessary expenses paid.

Mr. May made a motion to approve the three requests with the necessary expenses paid. Mr. Herr seconded the motion, which carried unanimously.

#### Traffic Commission

Mr. Breneman reported that the Traffic Commission met Wed. Sept. 24<sup>th</sup> with all members present. The old business was Mr. Harris advised “No trucks except local deliveries” signs have not been installed because there was a question about needing an ordinance to do so. He noted a thank you note for work done on Miller Road from Ms Sauders along with a request for speed limit signs. They have authorized a study to be done for Miller Road. He noted a traffic study done at Westwood Green Development but the streets are not dedicated yet. He noted no parking signs were posted. Mr. Bauder questioned some letters that were sent about Hershey Mill Road. Mr. Breneman stated that those letters came in on the afternoon after the Traffic Commission Meeting was held and they will be on the November meeting agenda.

#### Police Report

Mr. May stated that Chief Graeff has submitted his monthly report.

#### Road Foreman's Report

Mr. May stated that Mr. Harris has submitted his report. Mr. Smith stated that leaf collection is scheduled to begin October 20<sup>th</sup>.

#### Parks & Grounds Maintenance Report

Mr. Dickert stated he has submitted his report for the month.

#### Township Manager's Report

Mr. Smith stated he has submitted his report. He noted that previously Highville Fire Company had stated that they would be interested in a police vehicle if we were getting rid of any, to be used as a non emergency vehicle. Mr. Smith noted a 2004 Chevy Impala that has been replace and stripped of all decals and equipment. He asked that the Board consider donating that vehicle to the Highville Fire Company. He noted that the car has 101,000 miles and has passed inspection. Mr. Bauder asked what the value of the car is. Mr. Smith stated we would have a sealed bid and the general range we receive is a few hundred to maybe 2,000. Mr. May noted that the budget did not take into consideration the sale of this car. Mr. Bauder stated he did check with other townships. Mr. Breneman made a motion to donate the 2004 Chevy Impala to the Highville Fire Company, seconded by Mr. Herr. The motion carried unanimously.

#### Building Permit Report

Mr. Kreider read the building permit report listing 31 permits for the month of September bringing the total for the year to 233. The dollar value for the year is \$16,456,657.

There being no further business, Mr. Kreider made a motion to adjourn the meeting at 9:35 PM. Mr. May seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

## Manor Township Supervisors Meeting

November 6, 2008

7:30 PM

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

Members present: John May, L.Allen Kreider, Jay Breneman, Allan Herr and Richard Bauder.  
Staff present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Rita Young.  
Visitors present: See Attached.

Minutes Mr. Breneman made a motion to approve the October 6, 2008 minutes as drafted. Mr. Herr seconded the motion, which carried unanimously.

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

Financial Report Mr. May questioned the recycling grant being budgeted at \$18,000 and Mr. Strohecker noted that the grant just came in the amount of \$15,000 noting that is the overall performance grant. Mr. Kreider made a motion to approve the Financial Report as presented. Mr. Bauder seconded the motion, which carried unanimously.

### Business from the Floor

Jeff Hampson, 232 Eagle Path, complained that residents may currently place their trash anywhere in the street or in front of a neighbor's home, for removal by the township licensed haulers. He felt there should be an ordinance or enforceable document against this so the police department would have something to enforce when called for a complaint. He explained a problem with a neighbor and expressed concerns that he would be charged to remove a neighbor's trash if it were to be placed in front of or on his property. He asked that the Supervisors provide an ordinance to take care of this situation when the police are called. Mr. Bauder asked if the police could resolve the problem when called. Mr. Hampson stated no because there was nothing to enforce.

### Old Business

Letort Manor Perth Hill Sewer Update - Mr. May stated that there will be a meeting held on November 18<sup>th</sup> at the Manor Middle School to discuss this situation.

Melissa Rugh, 103 Catalpa Lane, presented the Supervisors with a petition that includes signatures from 199 different homes. She noted their volunteers have gone door to door and this petition states that the homeowners in this area should not be responsible to pay for the infrastructure of this sewer installation.

Mr. Kreider stated that he did come tonight prepared to talk in depth on this subject but he will hold his comments until the November 18<sup>th</sup> meeting to discuss it.

Ken Asche, 116 Spring Meadow Lane, discussed the number of groups that are opposed to this sewer project. He noted that the majority of these groups do not want to pay for the infrastructure for the sewer project, with the remaining not wanting the sewer all together. He corrected a prior article in the newspaper where he was quoted as wanting a law suit and he did not. Mr. Asche explained a scenario stating he did not feel this whole process for the sewer has been done in a good business sense.

Jim Quinn, 33 Dublin Drive, asked if the residents affected by this project will be mailed a notice for the September 18<sup>th</sup> meeting at the Manor Middle School. After some discussion, the Board agreed they will post signs at the developments and do a mailing to residents also. Mr. Quinn asked if LASA will be attending this meeting. Mr. Quinn stated that the plans show that LASA proposes to run the sewer lines through the middle of his back yard where two existing drain fields are and that he has paid for. Mr. Quinn also asked what right LASA has to do this. He expressed concerns of who will pay for all this disruption to his property. Mr. Smith noted that invitations have been extended to LASA, DEP and Arro Consultants and only LASA has confirmed they will attend. DEP has stated they will not be attending. Mr. Quinn stated that he along with the others involved want answers to all of this.

#### New Business

Millersville BIC Lot-Add-On Mr. May stated that this request from the Millersville BIC is for the waiver of Section 403.3.A – Show Existing Contours and the waiver of Section 403.3.B.3 - Show Existing Utility Features. Mr. Smith noted that the waivers have been recommended for approval by the LCPC and the MTPC. Mr. May felt it should be made an action item tonight. Mr. John Cox, representing the Millersville BIC, stated that he feels the request speaks for itself. Mr. Smith referenced an October 31, 2008 letter from Buchart/Horn with SALDO comments along with waiver modification requests. Mr. May made a motion to approve the waiver requests for Section 403.3A existing contours and Section 403.3.B.3 existing utility features because there is no real construction taking place. Mr. Breneman seconded the motion, which carried unanimously. Mr. May asked for motion on approval of the Lot Add On subject to the conditions set in the Oct. 31, 2008 letter from Buchart/Horn. Mr. Herr made a motion to approve the Lot Add On as requested and subject to the conditions in the referenced letter. Mr. Bauder seconded the motion, which carried unanimously. Mr. Smith did note that the letter was done by Buchart/Horn and their substitute engineer because the original plan was presented by Rettew and then there can be no conflict of interest in the review process.

Hershey Mill Manor Letter of Credit Release Mr. Smith noted that the release request is based upon the fact that there are no public streets or any facility that needs to be dedicated to the Township. Mr. Smith stated the balance of the Letter of Credit is \$100,044 and has been in place for six months adding that the option would be to release it or to retain 15%, being \$53,661.66 for one year and noted Staff would be ok with releasing this. After some discussion, Mr. May made a motion to release the Letter of Credit for Hershey Mill Manor, seconded by Mr. Herr. The motion carried unanimously.

Manor Oaks Letter of Credit Section 1 Mr. May noted this is Letter of Credit Number 566, known as the Remaining Lands Section 1. Mr. Smith noted this is a standard request, obligations have been met, inspections completed by Staff and he recommended approval, leaving a balance of \$71,830.56 for 18 months. Mr. Bauder made a motion to reduce Letter of Credit #566 to the amount of \$71,830.56. The motion was seconded by Mr. Kreider, which carried unanimously.

Manor Oaks Letter of Credit Section 2 Mr. Smith noted this is the same reduction request. The inspections have been completed and streets have already been dedicated. He recommended approval of reduction to the amount of \$47,576.84. Mr. May made a motion to approve the reduction leaving the balance of Letter of Credit #617 in the amount of \$47,576.84. Mr. Bauder asked if these are separate sections. Mr. Smith stated that there are three sections, this being section one and section two completed. Mr. Breneman seconded the motion, which carried unanimously.

Richard Rohrer Escrow Fund Mr. Smith noted this request to release the escrow fund is for storm water at 650 Forrey Road. He noted it has been properly installed and inspected and he recommended release of the escrow fund of \$10,436.00 back to the Rohrer's. Mr. Breneman made a motion to release the Richard Rohrer Escrow Fund, seconded by Mr. Bauder. The motion carried unanimously.

Rohrer Dairy Farm Improvement Guarantee Agreement and Letter of Credit Mr. Smith noted this is a new project and has been reviewed by the Township Engineer and Staff. He recommended that they enter into the Improvement Guarantee Agreement and also accept the Fulton Bank Letter of Credit in the amount of \$30,079 as presented. Mr. Bauder asked if this is for storm water. Mr. Smith stated yes, along with a few site improvements. Mr. May made a motion to enter into the Improvement Guarantee Agreement and accept the Letter of Credit for the Rohrer Dairy Farm project. Mr. Herr seconded the motion, which carried unanimously.

Rohrer Dairy Storm Water Management Agreement and Declaration of Easement Mr. Smith stated that this is for the prior project and will legally verify what the easement for the storm water is along with lay out the land owners requirement of upkeep for the storm water facility on the plan. Mr. Kreider made a motion to enter into the Storm Water Management Agreement and Declaration of Easement for Rohrer Dairy. Mr. Bauder seconded the motion, which carried unanimously.

Presentation of 2009 Budget Mr. Smith stated that they have prepared the proposed 2009 balanced budget and have maintained the level of service as in the past while holding the line on spending as the Board has asked. Ryan Strohecker presented the proposed 2009 budget for Manor Township stating that it will be a 4.9 million dollar budget which will be an increase of \$76,394 over the 2008 budget. He noted that it has been a lot of work to get this proposed budget while working with today's economy. He noted that there will not be any real estate tax increase for Manor Township in 2009 and the millage rate will remain at .78 of one percent. He noted the Township debt remains at 0. Mr. Strohecker did state that to maintain a balanced budget for 2009 the Township will have to continue to dip into some of the reserves and other funds like the sewer account and capital reserve. He went over the details of the General Fund Account and noted that the general fund account was affected by the interest rates. Mr. Strohecker stated that the overall budget for 2009 is a 2% increase and he feels it is a testament to the fact that they continue to hold the line on expenses, hold the line on the employee base and trim the budget where ever they possibly can. He noted that there was an increase in a few hours for two current part time employees and added that there will be a 3.5% salary increase overall. Mr. Strohecker went over the Capital Fund noting a million dollars in revenue and a million in expenditures set aside for the rails to trails project and stated there is \$107 thousand net income. Mr. Strohecker stated they have increased the donations to the three fire companies to \$30,000 each. The Supervisors thanked Ryan for the presentation. Mr. Bauder noted one observation that insurance was listed as \$1,000,023 and he explained that this figure was insurance and pension together as

a total. Mr. Herr noted that they will not be listing as much detail of the budget on line as before, because they feel it has made an impact on road material bids that have come in.

Joan Matternass, 213 Sutherland Road, noted that she has expressed her concerns before that the Supervisors have missed the mark on the budget. She has concerns about the support of the Fire Companies which she feels is a very hard working group. She felt the budget does not help with the equipment issues that the companies have, especially West Lancaster. She noted that Mr. Breneman has stated in the past that the fire companies have requested 1.75 million for equipment. Ms Matternass stated that she is concerned to live in a township where the fire companies are not sure their equipment will start when the fire alarms go off. She noted that this Board of Supervisors recently gave \$100,000 to Millersville Fire Company for a piece of land and stated that one fire company in this township has not received anything for capital expenses from this Board for almost 10 years. Ms Matternass noted the possibility of a fire tax and the presence of the fire companies tonight are here to ask for help. She stated that Mr. Bauder often compares us to West Hempfield Township and she noted that West Hempfield has given 600,000 to be paid over three years to one of their fire companies and the other they have given 67,000 this year, up to 300,000. She added that it is good to hold the line on taxes, but sooner or later by not having any increases, it is going to catch up and the increase we see then will be great. She noted that West Lancaster Fire Company has plenty of volunteers but they have trouble with their equipment and that is why they are here tonight to ask for more support. Ms Matternass noted that fund raisers are not enough to keep the companies going and only 24% of the people in the West Lancaster Fire Company area have contributed to them and she asked the Supervisors to comment on this fact. Mr. Kreider stated that raising taxes does not just fund the fire companies, it goes everywhere and he would be in favor of a fire tax which would go directly to them. Mr. Bauder stated that at the last meeting they did direct the manager to explore a fire tax. Mr. Bauder stated that most of the Township revenue comes from wage tax. Ms Matternass stated that she still has concerns because the fire company would like to make a commitment for a new piece of equipment but they can not afford to do that without a commitment from the Supervisors. Mr. May and Mr. Breneman stated they would be in favor of a fire tax. Mr. Herr stated this has been discussed at the budget meeting along with the new municipal service tax that they could enact. He noted that the Board felt they wanted to look into it but it could not be done quickly. She asked if the Board of Supervisors was going to respond to a proposal they were sent from the fire companies. Mr. May stated that it is hard to make a commitment with the amount of money that they have. Ms Matternass noted that one responsibility of the Board of Supervisors is to provide fire service to the people of Manor Township. Mr. Bauder stated that they did talk about advancing some money from the capital reserve fund in anticipation of a fire tax. Ms Matternass asked if they will know the answer to that before they vote on the 2009 budget. Mr. Smith stated that he has been doing research on a fire tax and it has to be done by way of ordinance and in his opinion it would not be able to be enacted for the 2009 budget. Ms Matternass asked if they could say how much they would get from a fire tax. Mr. Smith stated that they would be able to calculate the amount when the Board sets the rate at which they would make it. Mr. Bauder asked if a fire tax was enacted would the Township still receive the State reimbursement. Mr. Smith stated yes. Mr. Bauder stated if you have a \$40.00 tax per household in Manor Township, with slightly over 7,000 households it would give you at least \$280,000. Mr. Bauder asked Mr. Breneman how these requests fit into the comprehensive plan. Mr. Breneman stated that in their discussion, if no new equipment was ordered, they should wait because they did not know how it would be allocated. Ms Matternass

stated that the proposal sent from West Lancaster Fire Company absolutely fits in with the consolidation and is not anything extra. Mr. Kreider stated that if the West Lancaster equipment were to break down when on a call, people would not totally be without any protection because all the fire companies would work together. Ms Matterness stated that for fire companies to help each other, both companies have to have working equipment so in an event they could help.

Melissa Rugh, 103 Catalpa Lane, stated that as a resident she is in favor of a fire tax because she feels it is a good way to get money for this. She noted that these volunteers are helping us and we need to support them because the amount of residents that support them is very low.

John Burkenbine, 335 S Duke St, Fire Chief of West Lancaster Fire Dept, noted that during the budget presentation Mr. Smith noted a roller that is needed for the road crew and was put back in the budget because it can not be repaired any more. Mr. Burkenbine stated that they are unable to get parts for the equipment they have now the same thing and expressed concerns that their equipment is breaking down when they are trying to fight a fire. He stated that he put a request in to replace this engine in 2005, 2006 and 2008, and just now they are talking about a fire tax. He said he has been involved in this company for 18 years and 10 years ago they were talking about a possible fire tax. He stated that the Township is funding property for another department that is not in this Township but they can not afford to fund the three that are in the Township.

Mike Price, Treasurer of West Lancaster Fire Company, noted that the operating budget for them is \$70,000 per year to put fuel in the equipment and keep the equipment operational. The Supervisors have budgeted \$20,000 for them and the remaining must come from fund drives and fund raisers. Mr. Price stated that he feels it is not right and they do not have enough time to do the fire fighting and training and then are also responsible for the fund drives and the fund raisers. He noted that volunteers only have so much time to give. Mr. Bauder stated that in the General Fund we provide \$45,000 and the Capital Budget \$30,000. Mr. Price stated that \$45,000 is State money you are passing on. It was also noted that the \$45,000 money from the State is restricted and may not be used to pay general expenses such as electric. It is for equipment only.

Dean Gantz, 22 E Main St, Fire Chief for Mountville Fire Company, stated they do help and cover part of Manor Township. He stated they are in the process of purchasing an engine also and have sent information to Manor Township and they are looking for some support also. He stated that raising funds for fire companies is getting harder all the time, the State is requiring more and more training and people are giving less. Mr. Bauder asked where their funding comes from. Mr. Gantz stated a small donation from Manor Township and Mountville Boro and West Hempfield has committed \$200,000 over a period of three years. Mr. Gantz stated their operating budget is approximately \$100,000 a year.

Cris Cohen, 250 Stone Mill Road, West Lancaster Fire Dept., stated he also runs with Manheim Twp and noted that they pay the entire fuel bill for the department to help out with the operating budget and give other monies along with funding the equipment. Mr. Breneman stated that he thought Manheim Township has a fire tax. Mr. Cohen stated they do not have a fire tax.

Frank Hoke, 110 Velma Lane, stated that in the budget presentation there is a donation of \$1,000,000 listed for the Rail to Trail Project and asked what the was. Mr. Smith stated that they are looking at purchasing the low grade Norfolk Southern abandon section of the rail road and have been given a verbal commitment from Lancaster County to assist in that process. Mr. Hoke stated that if we can get \$1,000,000 for a rail trail but we can not get any money to help fire companies, he feels that is very sad. Mr. Smith noted that the County has offered that money to us and they have stipulated what it is to be used for. Mr. Hoke stated that the budget also states

there is no debt in the Township and with such great need for the fire companies, why can't we take on some debt for the fire companies.

Bonnie Miller, 113 Bent Tree Drive, stated that this Board has been elected to provide health and safety for the welfare of the residents of this Township and she feels that there are two things that are more important than rail trails. She stated they are the Police and Fire Departments. Ms Miller expressed her concerns with the speed that the Board moves in accomplishing anything and that if this Board is looking at a fire tax, then they should start now to have it ready for 2010.

Act 14 Notification Letort Manor/Perth Hill Sewer Line Extension – Mr. Smith stated this is a standard notification that Rettew has proposed a general permit for a stream crossing. No action is required, it is notification.

#### Correspondence

Mr. Smith stated that Chief Graeff has requested to host a training seminar specifically for detectives with the course being designed to enhance their skills to do comprehensive background investigations geared to the hiring process. He is proposing the instructor, at a cost of \$500, will take up to 10 officers in the course. Chief Graeff has proposed there will be 3 officers from Manor Township participating leaving 7 openings. The Chief will notify the contiguous departments if they would like to participate for a fee.

Mr. Smith noted another request is for a training session on line for the PA Right to Know Law with a \$50 registration fee to participate.

Mr. May made a motion to approve both requests. Mr. Bauder seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff stated that the Traffic Commission met October 29, 2008 with all members present. He stated a traffic study was done for Miller Road, resulting in a recommendation and a motion to post a speed limit for 35 mph, motion carried unanimously.

#### Police Report

Chief Graeff stated his report has been submitted and he went over the traffic statistics and arrests for the month.

#### Road Foreman's Report

Mr. Harris stated he has provided his report for the month but noted that they did do a guard rail repair on a bridge on Indian Run Road as a result from an inspection by Penn Dot. Mr. Harris stated they are ready for snow operations also.

#### Park and Grounds Maintenance Report

Mr. Smith noted that Mr. Dickert is not here tonight but he has provided his monthly report.

#### Township Manager's Report

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

Building Permit Report

Mr. Kreider read the Building Permit Report listing the number of permits for the month. He stated the total permits this month of 21, brought the years total to 254 with a dollar value of \$18,143,114.

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

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

Manor Township Supervisors Meeting

November 18, 2008

7:30 PM

Chairman John May called the meeting to order in the Penn Manor Middle School, 2950 Charlestown Road, Lancaster, PA at 7:30 PM. He led those in attendance in the pledge to the flag. Roll call was taken.

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

Staff: Barry Smith and Rita Young

Representing Arro: Matt Brown, President, Cindy Zawrotuk and Stephanie Clay

Lasa: Mike Kyle and Scott Fertich

Rettew: Michele Braas

Manor Twp. SEO Dave Lockard

Mr. May went over the schedule of events for this evenings meeting, being a question session with answers to follow. Mr. May stated that he hopes tonight will be an information time.

Matt Brown, president of Arro, gave a brief history of Arro and a presentation explaining what has taken place over the past years since April 2001 when the Act 537 Plan was authorized. He noted that his company has worked with LASA since the 70's throughout Lancaster County. Mr. Brown noted that the Act 537 Plan is a very complex document that takes years to complete and is only done every 10 to 15 years. Mr. Brown explained that the Act 537 Plan is not done by choice; it is a planning document that is required to be completed by law. It is a plan to find the needs of the community; correct any malfunction areas and prevent future sewer problems. Mr. Brown stated that there are three phases they go through, 1) Needs Analysis, 2) Evaluate Alternatives and 3) Adopt the Final Plan. He noted that all this is a very extensive review process involving the community, adjacent municipalities, the County and DEP. Mr. Brown listed the events and the dates when they took place.

April 2, 2001 Authorization of the Regional Act 537 Plan, explaining that work started way before this plan could be authorized. He noted that DEP dictates how this plan will be done and must meet DEP regulations throughout.

June 4, 2001 Introduction Presentation to the Board of Supervisors of Manor Township took place during a public meeting.

August 2001 There was a presentation to the Manor Township Board during a public meeting.

August 30, 2001 Public Notice of Act 537 Plan work group monthly meeting. This was the start of a work group that was formed and met every month to decide exactly what kind of plan will work best and what was available. They also included reference to the Act 537 Plan that was done in 1988, expected growth, zoning, geology and wet lands. They looked at well water test results for any type of well water contamination such as; total coliform bacteria, fecal coliform bacteria and nitrates. He went over the importance of the well results and soil results along with the SEO records. He noted that results show that most Township wells have high nitrates but that the results show 80% contamination in wells for Letort area and 82% in Perth Hills contaminated with coliform bacteria and when this information is applied with the DEP criteria, it earmarks those two areas as the areas in need of correction. Mr. Brown stated that this is an agricultural area and there is no way to tell what percentage of contamination is from agricultural sources and what percent could be from failed septic systems.

2001 thru 2006 Monthly meetings were held.

January 2002 The needs information gathered was submitted to DEP. DEP then reviewed the information along with LASA. This has been a lengthy process with lots of meetings where problems are discussed and options to best correct the problems are discussed. Options included upgrading the existing system, a waste water treatment plan or public sewer. At this point public sewer was the lowest cost alternative that they have found.

June 2002 Lancaster County Planning Commission submits comments.

May 2004 Lancaster County Planning Commission submits comments again.

October 2004 Presentation to Manor Township Board during a public meeting again.

November 2005 A special Manor Township public meeting was held to discuss all information.

December 2005 A special public meeting was held jointly with Manor Township and LASA.

April 2006 The plan was presented to the Manor Township Planning Commission.

April 2006 LASA adopts the plan.

July 2006 Manor Township adopts the plan.

August 2006 DEP completes administrative completeness review.

April 2007 Manor Township adopts a Resolution revising the implementation schedule.

June 2007 DEP formally approves the Plan with the revised implementation schedule.

Mr. Brown stated that with each time the plan was submitted, steps were taken to comply with the strict regulations from DEP that needs to be met. Mr. Brown stated that the project is now in the final stages with construction to begin in 2009. He noted that the Act 537 is a law to put together a plan where they identify what the needs are, identify how they are going to fix those needs and identify when they are going to do it. He stated that if a municipality chooses not to follow this, not to adopt the Act 537 Plan and fix the needs areas, they open themselves up to some pretty severe civil penalties relative to the Department of Protection. He also stated that even more so is to adopt the plan and then not implement it. Once the plan is adopted, DEP expects you to implement that plan. He explained how LASA is required to review and inspect sewage problems every so many years and address problems and they also do a five year forward look at things.

Mr. Brown stated that he does have a list of questions from residents and went over them at this time.

Why was a survey done that did not comply with Penn Vest requirements? Mr. Brown stated that the survey was completed in accordance with the PA DEP guidance document for sewage disposal and it was the guidance document in place at the time of the study and it was done in compliance to the prepared plan.

When did Arro become aware of the fact they did not qualify for Penn Vest funding and why did Arro fail to tell the Township when it became aware of the fact. Mr. Brown stated that everything was prepared in compliance with the document at the time and they can not go back and do revisions.

Was there a pre determined outcome of the 537 Plan. Mr. Brown stated absolutely not.

Why can't we simply survey what the people want and move ahead with what the people feel is the best way to correct the situation. Mr. Brown stated that the Act 537 Plan is to evaluate and identify needs for the Township and when public health needs show up, you must do something about it.

What is the effect for the Chesapeake Bay. He noted that on lot systems are a threat to the Chesapeake Bay and that is why it is very important to follow through with the Act 537 Plan.

Can the Act 537 Plan be rescinded or amended. Mr. Brown stated the plan can not be rescinded because it is an adopted plan and it has been submitted to DEP. This makes it an official document, but the plan can be amended through the proper steps.

Who would re evaluate the plan. Mr. Brown stated it would be a licensed engineer that could give an evaluation or possibly DEP. Mr. May thanked Mr. Brown for his overview. He asked the Supervisors if they had any questions, for him, at this time.

Mr. Kreider asked why there is such a discrepancy between the EPA regulations and DEP with DEP showing that they favor on lot systems for various reasons. Mr. Breneman did not have any questions. Mr. Herr stated that he felt the presentation covered all his questions but asked if a re evaluation was done, what would the approximate cost for that be. Mr. Brown stated that he would not be able to answer that at this time. Mr. Bauder stated that when reviewing the Arro evaluation of the ground water, it is apparent that the ground water contamination is not only township wide but an even bigger area. He stated that he sees no indication of proof that this contamination is originating from the on lot septic systems. Mr. Bauder stated that as an engineer he wanted to know if the public sewer system was installed, could they guarantee that it will remove the fecal contamination from the ground water. Mr. Bauder stated that if that can not be guaranteed, then this is all a faulty premise.

DEP vs. EPA Mr. Brown stated that there is a big difference between DEP and EPA. He noted that EPA is the Federal Document that covers all 50 States relative to on lot disposal systems. He added that EPA has a requirement where each state must pass their own regulations that are as stringent as DEP or more stringent than that because if you don't they will take over. This is important because the PA rules prevail over the Federal rules for this and PA rules must be specific for the conditions we experience in just our state.

Mr. May stated that if the source of the contamination can not be identified and guaranteed to stop, is it a faulty study as Mr. Bauder feels. Mr. Brown stated that he disagrees with Mr. Bauder and said if he is showing two sources of contamination and he has the opportunity to shut out one source of that contamination and he knows that one is causing specific serious health problems then he needs to take that opportunity to improve the situation. Mr. Brown stated that he can not guarantee that the contamination is coming from the septic but he can state that it is a highly likely source and he believes they can improve that contamination. Mr. Bauder stated that if Mr. Brown can not prove that the contamination is coming from the septic systems into the ground water then couldn't the contamination be coming from the amount of manure being spread from the agricultural farming. Mr. Bauder stated he feels the contamination is a small problem compared to the financial sacrifice that the residents affected would have to pay to do a project that can not be guaranteed to correct the problem. Mr. Brown stated that his job is not to ask anyone to make a financial sacrifice but his job is to provide the Supervisors statistics that identify needs areas and he has provided information that states there are two communities in Manor Township with higher levels of contamination that are a public health risk factor, which by law must be corrected. Mr. Brown stated that nitrates are an issue in the entire region of Lancaster County and that is related to the farming culture and it does create some of the problems.

Mr. May opened the floor for public questions.

Barb Sensenig, 135 Nicholas Road, asked how they determined what 15% of the wells were tested. She also stated that if the percentage of contamination is so great for their wells; then shouldn't they include public water when installing the sewer. Mr. May stated that they are in the process of looking at the possibility of water also.

Mike Vonderheide, 148 Nicholas Road, asked if anyone has looked at the size of the new dairy operation that is being constructed close to them and asked if they will have to tie into the sewer system. He stated that when residents had their own wells tested, the tests came back ok. Mr. Vonderheide asked why the 2400 wells tested in the survey aren't being used in the project instead of just the 256 homeowners here.

Al Junzio, 116 Nicholas Road, stated that he moved here in 1981 and his water was contaminated when he moved in. Mr. Junzio asked what is potential failure of a septic system and why can't the solution be to just fix the failed systems.

Remi Briand, 195 Carol Drive, asked what firm did the surveys and how were the tests on septic systems completed. He also asked what will be done with the old septic systems if the public sewer is constructed.

Linda Steffy, 180 Carol Drive, stated she did not feel they have gotten any answers as promised. She asked what grants the Supervisors have tried to get for the residents and how much money have the Supervisors acquired to this point to help.

Ed Shane, 104 Velma Lane, questioned Mr. Brown on the percentage rate for confirmed failures and potential failures.

Ray Dyer, 139 Nicholas Road, asked the Supervisors when they are going to commit to help pay for this problem because it is a public health matter.

Mary Fetter, 139 Tracy Berg Rd, asked LASA why they are being asked to pay for the infrastructure when other areas only have had to pay for the hook up fee.

Les Neidig, 137 Carol Drive, asked if anyone is going to help fix wells that go dry due to the construction that will definitely affect the flow of ground water.

Mark Irion, 192 Bender Rd, stated he helped with construction in this area years ago and noted that there was evidence of nitrates and contaminated water when the wells were drilled, so this is not a new problem for this area.

Ken Asche, 116 Spring Meadow Lane, stated that he moved in 1976 and had high nitrate levels then and installed a system to help with that. Mr. Asche stated that he is concerned with what might happen to the wells in the area when the construction starts and ground water flows may be disrupted. Mr. Asche asked the Supervisors if they were going to help with the situation if wells are affected. Mr. Asche stated that with results that are showing up it seems that the original plan for this development was flawed because the lot sizes were not big enough due to the geology in the area to accommodate the septic systems from the beginning.

Deb Guthrie, 1101 Central Manor Rd, asked if the Supervisors are prepared to help repair any well problems. She feels the Township is responsible for this because they made a poor judgment by leaving development go into this area in the first place.

Mike Vonderheide, 148 Nicholas Rd, stated that this contamination problem has been going on for many years, yet there have been new homes built in the recent years since this has started in 2001. He noted that they are on small lots and along the creek and why were they allowed to be built when you knew all these problems.

Paul Taylor, 172 Tracy Berg Rd, noted that he has lived there 17 years and feels the cost for this sewer is too high. He retired from UGI, is on a fixed income and the economy is bad and when he worked for UGI, they paid to run their pipelines because people were going to pay for the service.

Henry Barley, 201 Bender Rd, stated he is a farmer in the area and he feels that the people in the area do not realize the agricultural rules that farmers have to follow. They do not just do what they want, they are restricted by soil conservation and their land is tested all the time with soil testing for nitrates and contamination.

Mr. Brown stated that in the 1996 Guidance Document that engineers are required to follow, it specifies that if there are 15% of the samples taken that exceed a certain level then that is considered bad. He noted that the guidance document also identifies what the criteria are to confirm a suspected and a potential malfunction for a septic system and noted that as a professional engineer they are

obligated to follow the guidance document to the letter. Mr. Brown noted that with 82 % contamination for wells, they are also looking at public water. He stated that it is easy to purchase a water system to take care of nitrates in drinking water but to take care of the problem coming from sewage is not as simple and options are limited. He stated that with on lot disposal you must consider the type of soil for drain fields.

Mr. May stated that the question was raised as to why they can't just fix the old septic systems instead of public sewer. Mr. Browns stated that this has been identified as a needs area. Mr. May asked who completed the surveys and determined the % of contaminations. Mr. Brown stated that Arro is a private firm that completed the surveys and has compiled the determinations; the work that they are trained to complete. Mr. Brown stated all the work was done specifically with the DEP criteria.

Mr. May asked about comments made that it would take 5 years for their on lot systems to flush themselves out. Mr. Brown stated no, it will not take that long and the septic system itself will flush out within a year, but the actual solids and soils in the drain field will be a little longer process and it will verify for many reasons.

Mr. May asked for clarification of suspected and potential failure of a system. Mr. Brown read from the Act 537 needs identification guidelines. He stated that a confirmed malfunction is those malfunctions documented by dye testing, laboratory test result observations by a certified sewage enforcement officer or professional engineer experienced in on lot disposal systems. He stated a suspected malfunction is those systems that show some malfunctions characteristics such as showing un-normally green grass in the vicinity of an absorption area, pipe disturbance or dirt wetness are a few signs. Potential malfunctions are those systems that appear to be operating satisfactory but were constructed prior to permit requirements or where soil was not suitable or steep slopes.

People commented that their wells were ok and surveys came back that their wells were contaminated. Mr. Bauder stated that he is not in the area that is identified as the needs area, but in the mass survey his septic system was identified as malfunctioning and he stated that is completely untrue. Mr. Bauder described his septic system and stated that in his opinion his system is not malfunctioning and that result makes him question the creditability of the entire survey results. Mr. Brown stated there are many reasons a system can be labeled malfunctioning and asked Mr. Bauder how old his septic system is. Mr. Bauder stated it was installed in 1925 but he expanded the drain field in 1972. Mr. Brown stated that it was identified as malfunctioning by the specific regulations of the guidance document. Mr. Bauder stated no one came and talked to him.

Mr. May stated that the Penn Vest Funding had changes in 2004 noting that it now states surveys must be completed door to door and not mailed like was done in 2001. He asked if a door to door survey could be done now so they would qualify for funding. Mr. Smith stated in terms of seeking grants, Penn Vest is one of the agencies that they have had discussions with. He noted that if the Township would seek Penn Vest or Community Block Grant Funding from Lancaster County then a door to door financial survey would be required. Mr. Smith stated that to date they have had meetings that included Supervisors May and Kreider, several residents and two agencies being Penn Vest and The US Dept of Ag-Rural Development. Mr. Smith noted that we would not qualify for the programs that are currently available. Mr. Smith stated that they continue to work with Rettew engineers.

Ken Ashe, 116 Spring Meadow Lane, stated that Mr. Brown mentioned DEP 50 % funding available and asked if they qualify for that. Mr. Smith stated that yes, we did qualify for the 50% funding through DEP but that was funding for the actual Act 537 Plan and nothing else. Mr. Ashe asked if LASA has applied for funds to Penn Vest. Mr. Smith stated he did not think so.

Mr. Kyle, LASA noted that the history of LASA and funding capital sewer extension projects is that prior to 2004 it was not LASA's practice to require the property owner's participation at the

projects. He did note that in Washington Boro the project was funded by the Authority and was part of a large capital program that affected other municipalities. In 2004 the Authority looked at how it was funding capital sewer extensions because the Act 537 Plan was showing multiple sewer extensions over the next decade and they had to address that future expense. Based on their own survey they developed a policy where they determine what portion they can afford for a sewer extension. Mr. Kyle went over the calculations for the Perth Hills/Letort Project and the amount they determined that they could pay. Mr. Kyle also stated that the school will be paying 6 times the amount an individual homeowner will pay thus paying their share. He noted that 6 times was determined by calculations of the number of children vs. amount of water in other schools.

Mr. Taylor asked if they are paying for the projection of new development to get sewer. Mr. Kyle stated no, actually the opposite because the cost was calculated and actually lowered with the prospect of getting money back from projected new development.

Mr. May stated that we will be adjourning this meeting at this point. He stated that he is hoping to have all the hard numbers in January of 09.

Mr. Kreider made a motion to adjourn the meeting at 9:40 PM. Mr. Breneman seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

Manor Township Supervisors Meeting

December 1, 2008

7:30 PM

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

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

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

Visitors present: See attached.

Minutes - Mr. Kreider made a motion to approve the minutes from the November 6, 2008 meeting as drafted. Mr. Herr seconded the motion, which carried unanimously.

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

Financial Report - Mr. Bauder asked if there were any big items for the end of the year. Mr. Strohecker stated no and he noted we should be very close to breaking even on the budget. On motion by Mr. Bauder and seconded by Mr. Kreider, the motion carried unanimously to approve the Financial Report.

Solicitors Report - Mr. Smith stated there was no Solicitors Report.

Mr. Smith stated that he is saddened by the passing of Mr. Allan Granger and stated that Mr. Granger had served this Township for many years. Mr. Smith stated that he served on the Manor Township Planning Commission from 1970 thru 1988 when he resigned from that Board to take a position on the Manor Township Zoning Hearing Board where he served from 1989 thru the present day. Mr. May stated that Mr. Granger also served on the Lancaster County Planning Commission for several terms and he will be greatly missed.

#### Business From the Floor

Jeff Hampson, 232 Eagle Path, stated he continues to complain that his neighbor places his trash in front of his property. He stated that he has had his own property surveyed and marked property lines so there is no question to where the line is, but the neighbor continues to place his trash over the line onto his property for trash pick up and he can do this because there is no written policy saying he can not. Mr. Hampson presented pictures to prove this, plus he stated that he has talked to the trash haulers about the situation and they would be in favor of having the written policy. After some discussion, Mr. Hampson stated that he would like to see the Supervisors create a written policy stating that residents may only place their trash in front of their own property for trash pick up service. He stated he has called the police several times and has been told they do not have a solid rule or ordinance about placing your trash in front of your own property. He noted if the Supervisors would make this written policy, then it would give the police something to enforce when he calls them. Mr. Smith stated that if the Supervisors direct, he will review this with the solicitor for legal direction. Mr. Bauder asked if there is a problem if a person places his trash at the fire hydrant. Mr. Hampson stated no. Mr. Herr asked how this dispute about the trash started. Mr. Hampson stated he does have other issues with his neighbor but he is here tonight to try to get the trash issue solved. Mr. Hampson stated that the police dept. will not do anything to help him unless they have a written ordinance to enforce. Mr. May noted the Supervisors will take this under advisement. Mr. Bauder stated that if the hauler has a policy then that is what needs to be enforced, but by the hauler not our police department, this should be between the hauler and the customer.

Peter Odonoghue, 388 Hershey Mill Road, expressed concerns that his quality of life is being disrupted by the developments that have taken place along Hershey Mill Road. Mr. Odonoghue stated that in the past he had concerns with speeding which continues and is causing accidents. He stated that there was a traffic study done with a result of no change to the 35 MPH speed limit on the road. Mr. Odonoghue felt the study was flawed and

should be done again because he did not feel the times and location for the study was correct. Chief Graeff explained that the study was done over a seven day period and noted that the average speed came in at 36 MPH. Mr. Smith noted that there are very specific rules to follow when a traffic study is done. Mr. Bauder stated there are no side walks in this area and there were people riding bikes and pushing baby strollers and it is unsafe. Mr. Odonoghue asked if the Supervisors had made any decision if the owner of the wet lands should put up signs to indicate where the wet lands are. Mr. Smith noted that the development newsletter includes information about the wet land area but there is no signage. Mr. Odonoghue asked the Supervisors if they know why the area was surveyed. Mr. Smith stated no but it may have been in relation to the dedication of the streets. Mr. Odonoghue asked if there were any ordinances about trash receptacles because people in the area are littering. Mr. Smith stated no. Mr. Bauder asked if the development had any dumpsters for the residents. Mr. Odonoghue stated yes, but he feels they are an eyesore and he would like to see them fenced in but he was interested in a receptacle placed in the green areas. Mr. Odonoghue also noted that he felt the street lights are too bright at the Landings and self storage areas. He also complained that Hess Home Builders have had their real estate signs up for over a year and he recommended that they be removed. Mr. Kreider stated that there is a ten year lease with PPL on the street lights and they would have to pay for them even if we turned them off and noted that even if we ask to remove them ahead of the ten years there would be a penalty to pay. Mr. Bauder agreed that it is very bright in that area because you not only have the street lights but each home has a light.

Scott Labenski, Manor Blvd., stated he has a band that practices in his basement two times a week, and he has recently had the police come to his house because someone complained about the noise. He noted the police informed him that the noise ordinance is 24 – 7 and Mr. Labenski expressed that he feels that is a little extreme. He stated he has taken steps to try to keep the noise confined in his house and does not feel two hours in an evening is an extreme noise, adding that he does not practice later than 7:30 PM. Mr. Labenski stated that he was warned a few time and this last time has been issued a citation. He asked the Supervisors if they might consider amending the noise ordinance and asked why the 24-7. Mr. Herr stated that people work different shifts so there is no time that it might be a time when no one would be sleeping. Mr. May stated they might want to change location for practice.

## Old Business

Letort Manor/Perth Hill Sewer Update Mr. Smith stated that they received information today from Executive Director Mike Kyle, LASA, that the referendum for \$400,000,000 has been passed and allocated for public sewer and public water improvements and this could make LASA an applicant for Penn Vest Funding for this project. He noted that he and LASA will be meeting with Penn Vest to discuss the possibility. Mr. Smith stated that Manor Township is not a qualified applicant for the programs that are available but this is a program that LASA may be applicable. Mr. Kreider stated that he is tired of this whole sewer process and he would like to move on and have resolution to this very soon. He stated that if LASA pays for the entire info structure then sewer is ok, but if not, he is ready to just back up. Mr. Kreider stated that in his opinion, LASA has the responsibility to provide the info structure. He noted that in 2004 LASA passed an ordinance requiring people to pay for part of their info structure, without giving residents the opportunity to attend LASA meetings and express their opinion. Mr. Bauder stated that Walter Schlemmer, a professional engineer, has sent two letters stating that he has doubts about the Arro study and Mr. Bauder added that these are the same observations that he has had about the Arro study. In his opinion the Arro study does not make a credible case for a needs area. Mr. Bauder stated that he talked to people in Conestoga Township and they all have on lot septic systems except for the Safe Harbor Dam area that has a small decentralized system. He noted Conestoga Village, with small lots, and they are happy with their systems. Mr. Bauder stated that he disagrees with the PA DEP and noted that the Federal EPA has stated it is not fiscally sensible to have sewer put in these remote areas. He stated the Federal EPA has a large document on how to upgrade and maintain the on lot system. Mr. Bauder stated that he

can not support the LASA project and he feels the whole thing was based on faulty survey where the people were not involved as much as he feels they should have been. He stated that he feels the targeted people were not even aware of the fact that the Supervisors were approving the Act 537 Plan that would involve sewer. Mr. Bauder apologized for his participation in the Act 537 Plan but stated that is water over the damn at this point. Mr. Bauder stated he feels this whole project is flawed for so many reasons that we should not move forward with it. Mr. Kreider stated that he called EPA and explained to them that they and DEP have a totally different concept of how on lot systems should be treated. Mr. Kreider stated he did not agree with information from Mr. Brown stating that DEP knows what is better than the Federal Government. Mr. Kreider stated the Federal Government has a method that works, and questioned why the State is taking a whole different path. He felt that the decentralized systems are the way to go. Mr. May stated that it was his understanding that the information they received shows that the decentralized systems will cost more. Mr. Kreider said he did not agree with the information from a couple of real estate salesman that came out and gave a sales pitch. Mr. Kreider stated that in his opinion they should have had the engineer that he recommended come do a real dedicated study of a decentralized system because that is all they do, and not Arro that does everything else. Mr. Kreider said that he feels he has done enough work on his own and he feels he should not have to do this all over again and stated that this is crazy to spend all this time on something that is so flawed. Mr. May stated that Mr. Schlemmer did point out a few discrepancies but whether we like it or not, Mr. Brown stated that DEP has approved the Act 537 Plan and has determined this area as a needs area. Mr. May stated that if we were to start over again, they would not reverse this to not being a needs area and we will be even further behind than we are now. Mr. May stated that he would like to see the Township commit as a resource. Mr. Kreider stated in his opinion that does not even make sense because we have an authority and to commit would be giving tax payers money to an authority. Mr. Bauder stated that it was a business decision on LASA's part to pay one third but it will be very hard on the homeowner to take a loan to pay for this and try to pay their money back. Mr. Bauder stated he can not support this project in its current form or any form and Mr. Bauder stated that if he has to do time on East King Street for refusing this, then that is just what it will be. Mr. Kreider agreed and asked Mr. May how long he feels we should wait. Mr. Herr stated that it was clear from ARRO that the Township is responsible and he feels a responsibility to keep moving on this. Mr. Herr also stated that he did not agree with the information that was presented for the decentralized systems feeling that they were misleading when it was presented.

Ken Asche, 116 Spring Meadow Lane, stated that Manor Sewer Committee did not want a decentralized system because they did not want to own a decentralized system. They did not have a problem with that type system being installed if the Township or LASA wanted to own it. Mr. Bauder stated that the problem he has with the Arro study is that it does not identify which systems are faulty or why they are faulty and remediation for them. Mr. Bauder stated the area with the most problems is down in the older Letort portion and he felt that a small decentralized system could be installed right there. Mr. Asche stated that this whole thing does not make sense because no one has confirmed what the source of contamination is from. He also noted that the residents are the ones that insisted on looking at having water put in at the same time to correct the problem with contaminated wells. He noted a very large farming project recently approved by the Township and now under construction very near the problem areas with well contamination and feared this may add to the contamination. Mr. Asche stated that LASA was paying for info structure until 2004 and then changed their policy and in his opinion LASA should have to go back to the policy that was in place when all this started. Mr. Bauder stated that farm regulations are much better than before and they have a lot of testing and restrictions on a regular basis. Mr. May stated this area was designated as a needs area due to the failing septic systems and not the contaminated wells. Mr. Bauder stated the results in the Arro study quote the amount of contamination in wells in this area but does not specify where it is coming from.

Frank Hoke, 110 Velma Lane, stated that even though farmers are monitored it is still hard to limit what they do. Mr. Hoke stated also stated correcting the sewer problem will not fix the problem with their wells. He stated

that he did not agree with a lot of results from the Arro study and discussed the issue of new development coming into this area. Mr. Herr stated that Lancaster City Water had been approached several times and has declined to bring water to this area. He noted that Columbia Water Company was an alternative and they are going through the process at this time to be available. Mr. Herr stated that even though they bring water to the area that will not help the situation where there are many homes that have sewer coming to the surface on their properties. Mr. Hoke stated he hopes they look at all things before making decisions because putting other systems in may cost more than LASA and they will need to be maintained. Mr. May stated that he would like to see the Township commit to seeking every possible way to reduce the cost of this project but they do need firm numbers to do that and he would like to see the Township help to some degree. Mr. Kreider stated that if LASA would just absorb the cost of the info structure we could move on with this project. Mr. Kreider stated he is not satisfied with the study from Arro and he will never agree that the residents have to pay for the info structure.

Melissa Rugh, 103 Catalpa Lane, stated her biggest concern is that when they do get firm numbers, the Township will go ahead with the project and not inform the residents and she asked the Supervisors to give their word that this will not happen. Mr. May stated the Township is not the applicant for these loans it is LASA and they would be the people to sign the contracts. Mr. Smith explained that LASA is the Authority by way of the Act 537 Plan and has acted appropriately to see an implementation plan. He noted that LASA will go to bid for the project but they will not award any bid unless directed by the Township to do that. Ms Rugh asked if that was the legal steps to follow. Mr. Smith stated it is not a legal issue it is done because they will not contract with someone unless directed because it is Manor Townships Act 537 Plan, not LASA's. Ms Rugh asked if the residents can have a commitment from the Supervisors not to move forward with awarding a contract until all avenues to reduce the cost have been explored. Mr. Bauder stated that he would not move forward unless all of the cost for the info structure was removed and the homeowner only has to pay for the hookup and cost to get to the street. Mr. Breneman stated we still need to see if LASA can acquire any grant money. Mr. May stated they will certainly look at everything before entering into any contract. Mr. Bauder stated that he is still not in favor of putting sewer in this area just because there are a few failing systems.

Mike Kyle, LASA, addressed the issue of paying for the info structure. He stated LASA is a public authority and generates no profit, with all the exceeding revenue being put back into the maintenance and upgrading of the sewer system. He stated that LASA has no share or stock holders and the 31,000 customers actually pay for the public system. Mr. Kyle stated that the law states they may charge 100% of the info structure to the residents or we could choose to absorb it into the rate base. He noted that there is no public utility or private utility that they know of that extends service at no cost to the customers, whether it is cable tv, gas, water or phone. Mr. Kyle stated that the customers pay for the sewer, so LASA feels it is only fair to assess some of the cost for the info structure back to the homeowner and by law it can be a maximum of 2/3 of the cost. For this project it is now at 1/2 the cost and they are hoping that the Township defrays some of this cost, but they have made a position from a business standpoint that they can not pass any more of the cost for this project on to the existing customers.

Melissa Rugh, 103 Catalpa Lane, asked why it is mandatory to hook up to the sewer. Mr. Smith stated that most municipalities have made public sewer, if it comes into an area, a mandatory hook up to assure a pay back for the public system. The mandatory hook up is a township ordinance which is the standard way it is handled. Mr. Kyle stated that their Trust indenture requires that any township have a mandatory connection ordinance.

Dennis Griffith, 111 Bender Mill Road, stated that he has talked to Mr. Bauder about Columbia Water being installed and he said Mr. Bauder stated that Columbia Water Company is going to pay for the info structure of the installation. Mr. Bauder stated that Columbia Water was at a meeting a year ago and they stated that they would put the water in at their cost but they did not commit to that at the time. Mr. Griffith asked if they can put the sewer and water in the same ditch. Mr. Smith stated that there would be a number of factors that would play into that but it could be possible with a lot of coordination and explained that process. Mr. Smith stated he

would definitely want it to be coordinated to be installed at the same time. Mr. Herr stated a big difference for the info structure cost is that Columbia Water Company is a private company. Mr. Bauder added that water is not as costly as sewer lines to install. Mr. Bauder stated that if they want sewer and water to be coordinated together and the Township has a five year window, then will they have to alter that window. Mr. Griffith stated that the minutes show on August 4<sup>th</sup> Mr. Kreider made a motion to evaluate the Act 537 Act and Mr. Bauder seconded the motion, which carried and he asked what action has been taken on that motion. Mr. Bauder stated that he has concerns about the five year window and would like to amend the Act 537 Plan to relieve that 5 years restriction. Mr. Griffith asked again what action has been taken on the motion from Aug. 4<sup>th</sup>. Mr. Bauder stated they agreed to look at the Act 537 Plan but they did not specify how they were going to look at it. Mr. Kreider stated that they have to have more facts before they can amend the Act 537 Plan. Mr. Breneman stated that they are in the process of gathering more information so they can look at amending the Act 537 Plan. Mr. Griffith questioned the 266 homes being listed in the study and noted that there are actually only 258 homes. He asked the Supervisors if they will figure that difference into the cost and pro rate it to the people, raising their cost. There was discussion on the cost to run the lines on the individual property that will be added to the hook up fee. Mr. Kreider stated that these are questions that should be going to LASA. Mr. Kreider stated that if Manor Township did not have any sewer authority, then the township would be responsible for sewer, but this Board is not responsible because there is a sewer authority in Manor Township. Mr. Griffith stated he will email every question he has to the Supervisors and to Mr. Kyle at LASA. Mr. Griffith also questioned why some other homes along the way that are having sewer problems, are not included. Mr. Kyle stated they are more than happy to respond to any questions that might be addressed to them. He stated that the reason the homes out of the Letort/Perth Hill area with problems were not included is that the further you branch out to include isolated homes, the more costly it becomes per customer but added that they will gladly look at the situation. Mr. Kyle stated that LASA would like to schedule one last public meeting with all the residents to take one final look at the design drawings and they will be sending individual letters out to let them know that the final plans will be shown at that meeting.

Bill Renshaw, 26 Dublin Drive, stated he lives at the top of Dublin Drive and has been informed that he will need a grinder pump when the system is installed. He noted this is very expensive and stated he does not understand why he would need this when he is at the top of the hill, plus there is nothing wrong with his present system. Mr. Renshaw stated he feels this is being forced on him and asked if he could wait to hook up until he would have problems.

Barb Sensenig, 135 Nicholas Road, asked if the Township has a sewage officer that checks for the problems and makes the homeowner come up to compliance. Mr. Smith stated the role of the sewage enforce officer is not to go out and routinely check systems, he responds to calls when he is made aware of a potential problem, or a homeowner may realize they have a problem and call him to come and determine what the best resolution for the system will be. Ms. Sensenig asked why the failing systems are not being made to comply and correct the situation and then public sewer would not be needed. Mr. May stated that the Letort area that has failing systems have small lots and are unable to make the needed corrections to comply.

LCSWMA DEP Permit Mr. Smith stated this relates to the proposed Lancaster Brickyard project and disposing of materials in the Fry Farm Landfill. He noted that we have stated we will support the Authority on some alterations on a limited and temporary basis in adjustment to their operating hours and this letter from DEP is informing us that the Department approved the temporary increase.

#### New Business

Ordinance #6-2008 Mr. Smith stated this is an ordinance to amend the Manor Township Code of Ordinances, Chapter 27, by amending Section 405, Animal Hospitals, Veterinary Facilities, and Kennels, by

Deleting Section 405.2. He noted this has been recommended by the MTPC. Mr. Breneman made a motion to approve Ordinance #6-2008. Mr. Bauder seconded the motion. Mr. Kreider said that this ordinance states the use is for small animals and questioned what determines a small animal. Mr. Smith stated that the PC did not endorse all the stipulations in the County ordinance. The motion carried unanimously.

2009 Budget Adoption Mr. Smith stated the budget has been through work sessions, it was presented at the public Supervisors Meeting in November and as per code the advertising requirements have been met. Mr. May thanked Mr. Strohecker for all his work. Mr. Bauder thanked everyone for holding the cost down on the budget and stated that the expenditures are close to being the same as last year. Mr. Bauder did express concerns for the cost of health care comparing them to the private sector. Mr. Smith stated that they are still working out the contractual negotiation process and need to be prepared that in the event they are not able to reduce the current obligations listed.

Joan Matterness, 213 Sutherland Road, stated it was her understanding that there have been three requests from the fire company for funds and they have still not heard about what amount will be appropriated for the fire company. Mr. Bauder stated that at the last meeting the Supervisors decided that they would not have time to put anything in the budget for 2009 and they will look at the issue next year. He stated they have discussed a fire tax and different things with the Capital Fund but decided there was not enough time to make any decisions. Ms Matterness stated that she gave Mr. May a letter stating she would be interested in working on a committee to explore the fire tax if that is the direction they choose to go. Mr. Herr stated that at the last meeting the Board agreed that staff and the solicitor would develop what would be needed for a fire tax and not form a committee. Mr. Bauder stated that Mr. Strohecker was also working on a plan. Mr. Smith noted they have looked at the code and are now working with the solicitor to explore the legal aspect but have not formed any projection for revenue at this point for 2009 but hope to have some information for the first quarter of the year. Mr. Herr added that part of the process is to make sure that if collected, the money would be going to the fire companies and not have to be directed to other things. Mr. Matterness thanked the Board for this information. The Board discussed some of the issues with the problem that the fire company is having with their engine and some possibilities they might explore. Ms Matterness discussed some of the issues with the consolidation and referred the engine issue to the West Lancaster Fire Chief.

Ken Asche, 116 Spring Meadow Lane, commented on the budget noting government needs to find ways to keep taxes from going up and looking to tax payers pockets from funding everything.

John Burkenbine, 335 S Duke Street, West Lancaster Fire Chief and stated that the lack of money has been an ongoing problem for years. He noted that it is hard work to serve on these fire companies and to be responsible to respond to a fire call with equipment that might not work when needed is very frustrating. Mr. Burkenbine stated the Township should be putting money aside each year for this because it is no surprise that they are there and need help.

Mr. Kreider made a motion to approve the 2009 Budget as presented. Mr. Breneman seconded the motion, which carried unanimously.

Resolution #25-2008 Budget Certification Mr. Smith stated this is the formal adoption of the budget. Mr. Bauder made a motion to adopt Resolution #25-2008 certifying the 2009 Official Budget. Mr. May seconded the motion, which carried unanimously.

Resolution #26-2008 Preliminary Breath Testing Device Funding Mr. Smith stated this resolution will allow us to apply for grant funding through the police force with the PA Attorneys office. Chief Graeff stated this grant through the PA Attorneys office will be up to \$1,000 to acquire two Preliminary Breath Testing Devices which would be used in the field to determine if someone is driving under the influence. He added it is a matching grant where we pay 10%, meaning we could get \$900 back for the \$1,000 purchase. Mr. May stated he has written a letter in support and that will be included in the application. Mr. Breneman made a motion to adopt Resolution #26-2008. Mr. Herr seconded the motion, which carried unanimously.

Letter of Credit- Peace of Mind Mr. Smith stated the owner of Peace of Mind Storage had requested that his Letter of Credit be released in full. Mr. Smith stated he was eligible for the release of the money in 2007 and recommended to authorize the release of the money. Mr. May made a motion to release the Letter of Credit for Peace of Mind Storage in the full amount. Mr. Bauder seconded the motion, which carried unanimously.

On Lot Disposal System Mr. Smith stated this is a pending issue and asked the Board to consider several examples of existing ordinances that deal with on lot management. He stated Resolution #13-2007, committed us to DEP to implement the program and asked for direction to the process of preparing an ordinance and prepare for a program. Mr. Herr asked if we are required to have a list of haulers. Mr. Smith stated no, but we could create a list of haulers that would be licensed through the township much like the way we issue a license for the trash haulers that pick up in Manor Township. Mr. Bauder stated he is interested in what will be mandatory and what will be optional. Mr. Bauder suggested that there be two Supervisors to work with the manager on this. Mr. May and Mr. Herr stated they will work with Mr. Smith on this.

Act 14 Notification Letort Manor/Perth Hill Sewer Line Extension Mr. May stated this is a letter from LASA to notify the Township that they are applying for a General NPDES Permit for Stormwater Discharges Associated with Construction Activities from DEP. Mr. May stated this is information only.

2009 Audit Engagement Mr. May noted a letter from Hess & Hess to confirm that their services will be available to do the auditing. Mr. Smith stated they have included their service fee at \$12,575.00 for the 2008 audit. Mr. Herr made a motion to sign the engagement letter with Hess & Hess for the 2008 Audit at a cost of \$12,575.00. Mr. Kreider seconded the motion. Mr. May noted correspondence from Mr. Goodman, regarding advertisement and asked Mr. Smith what this is for. Mr. Smith stated it is advertisement for the proposed resolution needed for this. Being moved and seconded, the motion carried unanimously.

LIMC Body Art Task Force Mr. Kreider stated that some members of the LIMC are joining with the city of Lancaster to get licensing for body art tattooing. He noted that this is getting to be a problem in areas where they are having tattooing parties in residence homes and he feels the need for inspections of this. Mr. Kreider stated this is not for a resolution at this time, they are asking for a representative to participate in research on this issue. Mr. Kreider felt this is a good thing because tattooing could be a health issue. The Board agreed this would be a good idea and Mr. Kreider agreed to represent Manor Township at the meeting.

#### Correspondence

Mr. Smith noted two requests for training. The first request is from Chief Graeff for Detective Trisha Mazur to attend a training session for Homicide Investigation. Mr. Smith also stated a request for Mike Dickert and Dan Funk to attend Grow, Pesticide Applicator Skills where they will obtain required certification credits. Mr. Breneman made a motion to approve the listed training requests with the necessary expenses paid. Mr. Herr seconded the motion, which carried unanimously.

#### Traffic Commission

Chief Graeff stated the Traffic Commission met on Wednesday November 26, 2008 at 8:30 AM. He noted old business and stated that under new business there was a request for no parking signs to be removed from the cul-de-sac of Eagle Path. Chief stated that request was denied. He also noted a request for watch children signs at the same location and that request was approved.

#### Police Report

Chief Graeff stated his report has been submitted and he listed the number of calls and traffic stops for the month of November. Chief Graeff also noted that the Citizens Police Academy has ended after a ten week

course and noted that Cpl. Strock did a good job with that event. Mr. Breneman asked how many attended and Chief Graeff stated there were 25 people on an average.

#### Road Foreman's Report

Mr. Smith noted that Mr. Harris has submitted his report and added that leaf collection has gone pretty good this year but they were not happy that they had to go out and salt some icy spots already this season.

#### Parks & Grounds Maintenance Report

Mr. Dickert noted regular maintenance and winterizing at the parks.

#### Township Manager's Report

Mr. Smith stated his report has been submitted. He noted an update on the Enola Low Grade Rail project stating that they have received the final reports and they have been forwarded to both the Philadelphia Regional Head Quarters and Harrisburg to their real estate department. Mr. Smith stated we are now waiting for a response from Norfolk Southern to find out if the proposed assessment and project is acceptable.

#### Building Permit Report

Mr. Kreider read the building permit report listing the number of permits for the month noting that construction continues to be less than last year.

Mr. May noted that a news alert today stated that we are now in a deep recession. Ted Gingrich, 110 Bent Tree Drive, stated that an article he read listed Lancaster as one of most resilient places in the nation.

Brian Flahty, 121 Carol Drive, noted that it is because of this deep recession that the residents are stating they can not afford to be paying 16,000 for the installation of sewer.

Mr. Breneman made a motion to adjourn the meeting. Mr. May seconded the motion, which carried unanimously. The meeting adjourned at 9:50 PM.

Respectfully submitted,

Barry Smith  
Secretary – Treasurer

Recording secretary  
Rita J. Young

## Manor Township Planning Commission Minutes

Monday, January 14, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, January 14, 2008, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603. Pamela Shellenberger was introduced as a new appointment by the Board of Supervisors to the Planning Commission. Mr. Ahlfeld advised Ms. Shellenberger is a long time resident of Manor Township and is employed by the York County Planning Commission. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, Donald Witmer, Mary Glazier, Beth Herr, Scott Haverstick and Pamela Shellenberger  
Member Absent: James Henke  
Visitors Present: Keith Eshleman, Millersville Fire Co.  
Gary Hess, Millersville Fire Company  
Jim Huber, 113 Shannon Dr  
Bonnie Miller, 113 Bent Tree Dr  
Bill Swiernik, David Miller Associates  
Dave Wilken, Millersville Fire Co.  
John May, 100 Red Fox Rd  
Al Olah, Rettew Associates  
Elaine Jones, Lancaster Newspapers  
Richard Bauder, Manor Twp.  
Al Kreider, Manor Twp.

### **Public Comment**

There was no public comment.

### **Re-Organization Meeting**

Chairperson – Ms. Glazier nominated John Ahlfeld for another year as Chairperson. Scott Haverstick seconded the nomination.

Vice-Chairperson – Beth Herr nominated Scott Haverstick for Vice Chairperson. Ms. Glazier seconded the nomination.

Secretary – Ms. Herr nominated Mary Glazier for Secretary. Don Witmer seconded the nomination.

Ms. Herr made a motion to accept the slate of nominations as presented. Ms. Shellenberger seconded the motion and the motion passed unanimously.

Set Meeting Dates – Mr. Ahlfeld suggested they meet the second Monday of the month with the exception of October when the meeting would be Tuesday, October 14<sup>th</sup>. Ms. Glazier made a motion to accept the meeting dates. Mr. Haverstick seconded the motion and the motion passed unanimously.

## Minutes

Mr. Haverstick made a motion to approve the minutes as written. Ms. Glazier seconded the motion and the motion passed with Ms. Shellenberger abstaining.

## Old Business

Action Item – Plan #07-009-A – Final Land Development Plan for 3000 Blue Rock Road - The property is located at 3000 Blue Rock Road, Millersville, PA. The lot is 6.4 acres. The lot will have on lot septic. The property will be developed for the Millersville Fire Company. The property is zone (RL1) Low Density Residential Flex. Modification Requests include the following: Section 502.11.A – Curbing & Section 502.12 – Sidewalks. The Board of Supervisors has granted the applicant a time extension and the Township will have until March 10, 2008 to review this plan. The Commission needs to make recommendations to the Board of Supervisors.

Bill Swiernik, a landscape architect with David Miller Associates representing Millersville Fire Company, presented the plan. Mr. Swiernik stated that the property is located on the south side of Blue Rock Road just west of the bridge over the Little Conestoga Creek. The property was previously used for a dwelling. Access from Blue Rock Road is from a driveway. The property is made up of two parcels of land and Mr. Swiernik stated that he was primarily talking about the larger parcel. The fire company is proposing to construct a single building with parking spaces along Blue Rock Road and adjacent to the building with access from an improved existing driveway. The tract is going to be used primarily as a firehouse. There will be some other activities but at this point there is no proposal for excessive banquets or that type of activities. There maybe some training that occurs at the building. An on lot well will serve the site and there will be a proposed on lot drain field. The present well and drain field will be replaced. The site has been tested and a permit has been issued for the drain field. The volume of flow from the site will be limited to the responders. They received comments and have two modification waivers of the Ordinance criteria. The first one relates to curbing and the second is related to sidewalks both along Blue Rock Road and within the development of the site as it relates to pedestrian accessibility. The nearest sidewalk is several hundred feet removed from the site to the east.

Mr. Witmer asked if they plan to clear everything in the front of the property. Mr. Swiernik stated that the intent is to take all the brush out to allow for both visibility and use. Mr. Witmer asked how many acres there were and Mr. Swiernik advised him that one parcel is approximately 6.4 acres and the other parcel is 14,000 square feet. Much of the site is occupied by the 100-year floodplain.

Ms. Shellenberger asked if the existing structures will be removed and she was advised that the structures have been removed.

Mr. Haverstick asked what part of the site is in the 100-year floodplain. Mr. Swiernik advised him that approximately half of the site is in the 100-year floodplain. Mr. Haverstick questioned if the property is sloped. Mr. Swiernik stated to the Commission that the land begins to slope approximately where the old building was located and slopes down and then there is a level area at the bottom of the slope that parallels the adjacent stream. Mr. Haverstick questioned if the entire site will be maintained. Mr. Swiernik stated that the intent is to maintain it consistent to how it is being used at the present time.

Mr. Witmer asked if the three-quarter section came along with the property. Mr. Swiernik stated that it is an odd piece of land and by the time you apply the 40 foot setback requirement from Blue Rock Road, you are restricted in what can be built there. PP&L has a right-of-way and there is a 30 inch culvert and a watercourse.

Mark Lauriello, from Rettew Associates on behalf of the Township, that stated as Bill Swiernik mentioned, there are two waivers being requested. 1) Curbing along Blue Rock Road and internal to the site in the parking lot and 2) sidewalks along Blue Rock Road. Rettew recommends approval of both waivers primarily because of the use of the property and where it is located. Rettew issued a review letter dated January 9<sup>th</sup> that is their second review letter. The outstanding comments are mainly housekeeping items. If the Applicant has no issues and is agreeable to addressing the comments to the satisfaction of the Township, the Township Engineer recommended conditional final plan approval. Mr. Swiernik stated that the applicant proposes to address the comments.

John Ahlfeld asked if the fire company would put an easement along the creek for public access. Gary Hess from the Millersville Fire Company stated that they would need to discuss that with the Supervisors but that they would be willing to sell the area to the Township as a park area. The applicant had proposed selling the triangle and the bottom area of the large lot as park area for the Township. The applicant has no use for the land and is not sure if they want the public on it causing them a liability issue. Mr. Ahlfeld stated that there are laws that would protect them from liability if it were open for passive access to walk along the creek. Mr. Ahlfeld stated that greenways are being encouraged along waterways wherever a new development is occurring. There could even be an easement back out to the road and someone could walk around the entire perimeter of the property.

Mr. Glazier stated that she had the same questions in terms of access. She realizes there is some distance from the nearest sidewalk, but if this is zoned residential, what does the Township anticipate developing beyond it and shouldn't we be planning to have sidewalks along Blue Rock Road if there is going to be residential development beyond there. Ms. Glazier stated that if we do not follow the Ordinance and provide sidewalks here, then that is another chunk that is missing that will be used in the future to justify not putting sidewalks somewhere else. At some point, you have to start applying the Ordinance and require sidewalks.

Mr. Haverstick pointed out that this has been the problem all along. On some projects in the past, we have requested that the applicant provide sidewalks in the event there is a potential to tie them into something.

Mr. Ahlfeld questioned what could be required regarding the greenway. Mr. Lauriello stated that you are only asking for an easement and one option is to deny sidewalk waiver but allow them to defer it to the Township's sole discretion and deems that it is necessary with the condition that they also provide an easement for pedestrians.

Mr. Haverstick stated that the Supervisors might want to pursue the purchase or an agreement of some kind for the land if it is their desire to have dedicated parkland and that would mute the whole issue.

Mr. Lauriello stated in his opinion that should be looked at comprehensively.

Mr. Witmer pointed out that basically from Rt. 999 to Donerville Road on both sides it is mostly developed.

John May, 100 Red Fox Rd. stated that he agrees with Bill Swiernik that along that Rt. 999 stretch is the worse place for pedestrians.

Mr. Ahlfeld stated that we might be talking 50 years from now. There is talk of alternative transportation and providing walkable communities and now is the time to assure a sidewalk can be provided in the future if the Township wants it.

Mr. Swiernik stated that he has spoken with Mr. Hess regarding the easement and as long as there is no real cost to the fire company there is no issue with the easement.

Ms. Shellenberger asked if they had discussed with PennDot some type of warning light or signal. Mr. Swiernik stated they have not talked with PennDot about it. They have applied for a highway occupancy permit and had some minor technical comments on that permit application for the use. Mr. Swiernik stated that it is his understanding the request for the warning signal would have to come through a joint application with the Township and with the landowner. The applicant is open to that idea.

Mr. Haverstick stated that he feels a warning signal is mandatory particularly on that stretch of road.

Mr. Lauriello pointed out that on Page 3 of Rettew's letter there is a comment on the warning signal.

Mr. Haverstick made a motion to grant the waiver of Section 502.11.A for curbing. Ms. Glazier seconded the motion and the motion carried unanimously.

Ms. Glazier made a motion to recommend that the waiver of sidewalks be denied and building the sidewalks be deferred until the Township requests it. Mr. Haverstick seconded the motion. Ms. Glazier added a condition that a 25 foot pedestrian easement is provided from the right bank of the creek as you proceed downstream through the property following the western edge of the property back to the road. Mr. Haverstick seconded the addition to the motion and the motion carried unanimously.

Mr. Witmer made a motion to grant final land development plan approval for 3000 Blue Rock Road for the Millersville Fire Company contingent upon recommendations from the consultants. Ms. Herr seconded the motion and the motion carried unanimously.

## **New Business**

### Final Plan for Parkfield – Phase 3 (This plan is under the LCSDLDO)

The project is located off of Hershey Mill Road and is the last phase of the project. The preliminary plan was approved under the County Ordinance. This phase contains 26.431 acres. There will be 55 single family detached houses. The project is served by public water and sewer. The Commission needs to review the final plan and make recommendations to the LCPC.

Al Olah, a registered architect with Rettew Associates, presented the plan. Mr. Olah gave the background on the entire project. Mr. Olah advised that Phase 1 was approved in 2003, Phase 2 approved in 2007 and they were now applying for approval of Phase 3. Phase 3 consist of 26 acres and has 54 lots and is the smallest of the three phases. This phase connects the remainder of Greenhedge Road and completes Shade Tree Drive. All the zoning requirements were taken care of during preliminary plan approval as well as any waivers that were needed. The applicant is not requiring any waivers for Phase 3.

Mr. Ahlfeld questioned an area shown on the plan and Mr. Olah stated that it was a walkway that was a part of the waiver for the block length.

Mr. Haverstick questioned where Phase 1 drains. Mr. Olah pointed out on the plan detention basin "A" at the north end of the development. Mr. Olah advised the Commission that Phase 1 is completed.

Ms. Herr asked what is completed in Phase 2 and Mr. Olah advised her that the streets, curbing, lighting is in place; there are several houses being built so far in Phase 2. Phase 2 has 76 lots and it will take two to three years to build out Phase 2.

Ms. Shellenberger requested that the pedestrian easement be labeled on the plan.

Dick Bauder asked if this application was submitted originally with all three phases included and, thus, avoids the requirements of the Township's Ordinance. Mr. Ott stated all three phases were on the original plan. Mr. Bauder asked how the open space requirement was met. Mr. Olah advised him that 8.64 acres would be dedicated to the Township. Mr. Bauder asked what the topography was for the acres proposed to be dedicated to the Township. Mr. Olah advised him that with the exception of the retention basin, a lot of it is in the 100-year floodplain but it has frontage along the stream and along Hershey Mill Road and there is adequate area to install parking if desired as a trailhead.

Mr. Witmer made a motion to recommend to the LCPC approval of the final plan for Parkfield Phase 3. Ms. Shellenberger seconded the motion and the motion carried unanimously.

### **Other Business**

Correspondence – Ms. Glazier had two pieces of correspondence from the LCPC. Memo dated January 3, 2008 from the LCPC pertaining to Stephen & Deanna Shuman lot add-on plan recommending approval with some comments.

Notice that the Connie Schnetzka application was received by the LCPC on October 15<sup>th</sup>.

Annual Report – Mr. Ahlfeld stated all the Commission Members received a copy of the Annual Report and he presumes it will be presented to the Supervisors.

SALDO Work Session – Wednesday, January 23<sup>rd</sup> at 7:00 p.m. will be a work session for SALDO.

There being no further business the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer



Manor Township Planning Commission  
SALDO Work Session Minutes

Wednesday, January 23, 2007

Time: 7:00 P.M.

Mr. Ahlfeld advised the Commission that this was a continuation of the work session for revisions to the Subdivision/Land Development Ordinance.

John Ahlfeld, Jim Henke and Scott Haverstick were present for the work session.

Visitors present were John May and Jim Huber.

The Planning Commission members had received an updated copy of Articles 1, 2, 4 & 5 that included the revisions to be made based on the discussions with the Planning Commission members to date to the adopted SALDO.

Mark Lauriello advised the Commission that he had an issue to discuss in Article 5 Section 502.7 regarding cartway widths. Jim Miller had made a statement regarding the Rettew memo dated July 20, 2007 at a previous work session that the street cross sections requirements are old school. At the work session on September 25, 2007, Mr. Miller handed out a copy of the County's draft ordinance that is the new way of thinking. To help understand the County's draft ordinance, Mr. Lauriello provided a handout with three scenarios. There was a comparison between the Township's current requirements and possible changes to the requirements to review. The second page of the handout showed what the County is proposing in their draft model ordinance. Mr. Lauriello went over the three scenarios. Mr. Lauriello stated that in his opinion, 36' is a little wide; he provided information on street widths in other municipalities. Mr. Henke stated that 32' and 34' is what he sees in other municipalities for a standard local road with parking on both sides and he stated that he felt they were sufficient widths. Mr. Haverstick questioned how the Township camp up with the 36' width for streets. Mr. Henke's opinion was that the parking was 8' on each side and 10' lanes were provided. There was also discussion on designated areas for bicycles. In Mr. Haverstick's opinion, there was no need to have a separate area designated for bicycles. Mr. Haverstick stated that he feels bicycles should use the vehicle travel lanes. After the discussion, Mr. Ahlfeld asked if the Planning Commission was satisfied going with the narrower street approach; the Planning Commission indicated to Mr. Lauriello that was what they wanted to suggest minus the shoulder. There was further discussion and it was decided to keep the collector standards the way they were and the local and cul-de-sac streets use the table minus the shoulder requirements. Mr. Lauriello asked if they wanted the same standards outside the designated growth area and the Planning Commission agreed that they wanted the same standards to apply.

Mr. Ahlfeld indicated he had some questions on Section 502.12.A - Sidewalks. Mr. Ahlfeld read the first sentence and had questions on the wording of the sentence. Mr. Lauriello referred to the last sentence "the installation of sidewalk is required in all subdivision/land developments within the designated growth area". If you take that thought and carry it over to Section "C" "where required", the sentence tells you where sidewalks are required.

Mr. Ahlfeld indicated that in Section 511 on Page V-30-A, there is a reference to the Township Comprehensive Plan and that needs to be changed.

Mr. Ahlfeld stated that he felt that there is confusion on the last several pages as to what is being required regarding greenways. He pointed out the references to the 1990 & 1993 Plan and felt that it would be better to reference any applicable plans since there will be changes in the plans in the future. Mr. Haverstick asked if new plans generally supercede older plans. Mr. Ahlfeld advised him that older plans that cover the same things are superceded by new plans. Mr. Lauriello indicated that the wording could be that "the Township has identified these stream corridors as greenway corridors" and not even reference a plan. Mr. Ahlfeld asked if it is too limited to referencing only the six plans listed. Mr. Haverstick suggested include the words "but

are not limited to” in that sentence. Mr. Ahlfeld stated that he would like to have a publicly accessible strip of open space along every waterway and see the ability to require connections between developments where it seems appropriate. Mr. Henke asked if these things would be in an easement and who would maintain them. Mr. Lauriello asked if Mr. Ahlfeld would like to see in this section that there be a publicly accessible strip of open space along every waterway and that connections be provided from adjacent developments to parks, schools, recreational facilities, greenways, etc. Mr. Ahlfeld stated that he would like to see this go further and provisions be made for bicycles to go off the road from a bicycle route through the development. Mr. Haverstick stated he is an advocate of being mindful of where you go with bicycles, but that there is a growing trend to use that to deny access to bicycles on public roads. Mr. Haverstick stated that he favors riding in the street and following all traffic regulations. Mr. Ahlfeld questioned the meaning of the sentence in letter “G”. Mr. Lauriello stated that he believes it is saying, if there is a greenway crossing on a public road, the crossing should be on a street with the lesser traffic. Mr. Ahlfeld pointed out that it does not say anything about two roads; it was decided by the Commission that needed to be included in the sentence. Mr. May suggested the word pedestrian should be inserted in the sentence. Mr. May pointed out that the access to the greenways is partially covered in letter “H”. Mr. May pointed out that they might want to add, “for public recorded easements”. Mr. Ahlfeld stated that the term natural resource area is not a defined term.

Mr. Henke indicated a period is missing on Page V-12, Letter C end of Sentence #2.

Mr. Lauriello indicated that he would try to incorporate the policy issues Mr. Ahlfeld would like to see captured in the greenway section for the next meeting. Mr. Ahlfeld had concerns with the listing of certain waterways and asked if there is a need to list any waterways. Mr. Ahlfeld stated that felt it is misleading to list some waterways even though it says, “not limited to”.

Section 407.5.E. – Mr. Haverstick stated that they had originally talked about historic views and were concerned with the interpretation. There was no consensus generated from that discussion. There was concern with the limited number of properties identified as being historic sites when there are numerous others sites in the Township that could possibly qualify as historic structures. Mr. Ahlfeld pointed out something like the Preservation Trust Study called “Our Present Past” from the 1970’s would be a better listing if a listing is being used. Mr. Haverstick stated that he felt that the language should be vague enough to be fairly inclusive. There was extensive discussion as to who and what would determine if a site is considered to have historic significance. Mr. Henke stated that he felt that there needs to be provisions for the farmer who wants to do a one lot subdivision to provide relief from doing a report. Mr. Ahlfeld indicated that West Lampeter Township requires studies to be done on historic properties to create awareness. Mr. Lauriello advised the Commission that an option is it can be handled like a wetland studies where anytime there is earth disturbance somebody must verify there is or is not wetlands. Mr. Haverstick stated that he felt at some point it must be the Township’s decision and not the consultants as to the historic significance of a site. Mr. Haverstick stated that he prefers to be more rather than less restrictive. It was decided to allow Mr. Lauriello to draft an alternative to what is provided for in the SALDO for the Commission to look at.

Mr. Ahlfeld stated that they would meet on Monday, February 11, 2008 at 7:30 p.m. to review the revisions that had been discussed. The work session was adjourned at 8:50 p.m.

Respectfully submitted,

Evelyn Rineer  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, February 11, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, February 11, 2008, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, Donald Witmer and Pamela Shellenberger

Members Absent: Mary Glazier and Beth Herr

Visitors Present: John May, 100 Red Fox Rd., Millersville  
Jim Huber, 113 Shannon Dr., Lancaster  
Joe Habeck, 2715 Valley Dr., Lancaster  
Emily Carrie, 42 S. Prince St., Millersville  
Elaine Jones, Lancaster Newspapers  
Mark Lauriello, Rettew Engineering  
Patrick Wright, 30311 Duke St., Millersville  
Richard Bauder, 130 Sheep Ln., Millersville  
Al Kreider, 141 Supervisors Rd.

### **Public Comments**

There was no public comment.

### **Minutes**

Don Witmer made a motion to approve the January 14, 2008 minutes. Pam Shellenberger seconded the motion and the motion carried with Jim Henke abstaining.

Jim Henke made a motion that the January 23, 2008 Work Session meeting minutes as handed out this evening be approved as presented. Scott Haverstick seconded the motion and the motion passed 3 in favor and 2 abstentions. Don Witmer and Pam Shellenberger abstained.

### **Old Business**

Continue with the SALDO revision discussion from the last meeting on January 23, 2008.

Mark Lauriello handed out updates to Articles II, IV and V as well as two supplemental handouts. Mr. Lauriello had three policy issues to discuss 1) historic resources, 2) roadway cross-sections, and 3) pedestrian connections. Mr. Lauriello indicated what he presented reflected what was discussed at the January work session.

Article II the only change was to add a definition on Page 2-7 for Natural Resource Area.

Article IV – Section 407.5 – at the last meeting there was significant discussion on historic resources. Mr. Lauriello handed out a supplemental handout that listed historic places, sites and structures in Manor Township. This was for informational purposes. Section 407.5 will add to the list as sites are identified through a subdivision/land development process by following this procedure. This section was revised to require all subdivision or land developments applicants to look at and document the absence or presence of historic resources. The requirements for the applicant to follow are laid out in Section 407.5. Ms. Shellenberger feels the way the

section is worded a specific list would be needed in each category and she asked if that list is available. Mr. Lauriello advised there is no list available. Mr. Haverstick stated they had talked about the interpretation of what may or may not be deemed historical and had agreed to leave it significantly vague. Mr. Lauriello pointed out the criteria is outlined in 407.5.B somewhat vaguely. Ms. Shellenberger was concerned with using the word “deemed” and feels that indicates the determination has already been made. Ms. Shellenberger felt the word “potential” should be added. Mr. Lauriello read the change “any historical archeological place, site or structure, with the potential to be deemed”. Mr. Ahlfeld had questions what is covered under #17 of the supplemental handout and if every site in any of the Historical Preservation Trust publications is covered. It was felt the wording should be publications or records for clarification. Mr. Ahlfeld questioned if this means an archeologist, historian, etc. must be involved to say that there is no historic features even if it is obvious that none exists. Mr. May asked if the Reiber House should be added to the list. Mr. Haverstick advised him that the Reiber House would fall under #17 or #18 on the “List of Historic Places, Sites and Structures” and is covered without specifically being noted. Mr. Lauriello advised the Commission that a policy decision needs to be made. Mr. Lauriello stated that he felt that at the last meeting a policy decision was made; the decision was that with every subdivision or land development plan, a historic study needed to be done showing the absence or presence of historic places, sites, and structures and the study needed to be submitted. Mr. Lauriello advised the Commission that if it is a case of an obvious situation, the applicant could request a waiver. Mr. Lauriello stated that the section will include both historical and archeological resources but will only address those that are listed or eligible to be listed on the National Register of Historic Places. Ms. Shellenberger suggested that in Section 407.5.B #2 and #3, that we delete the archeological reference and would only be doing the archeological study for the PHMC National Register and ones that are eligible for or listed on the National Register. In Section 407.5.B #2 and #3, the sentence can just say any historic resource. Mr. Ahlfeld referred to Paragraph I-1 and asked if there was typo where it listed Section 409.5G and asked if that should be Section 407.5G. Mr. Lauriello stated it was a typo. There was a question as to whether the list of historic sites handed out would be incorporated into the Ordinance and Mr. Lauriello stated that the handout would only be a resource for the Township.

Section 502.7, Page 5-7 Street Cross-Section - Mr. Ahlfeld advised the Commission that Mary Glazier submitted a letter regarding provisions for bicyclists. The letter states that she feels it is okay for expert bicyclist to ride in driving lanes but they need to consider recreational bicyclist and children and that provisions be made either on the shoulders or separate paths for those individuals. Mr. Lauriello referred to the handout that is an excerpt from the draft model ordinance that the County Planning Commission is developing along with the Coalition people. Certain scenarios from the draft ordinance were reviewed and applied to this Ordinance. There are three scenarios listed “A”, “B”, and “C”. The end result of the discussion was that for local streets and cul-de-sacs, the Ordinance would use a slightly modified version of the draft ordinance handout for the street cross-section standards. The slightly modified version of the table is reflected in the update. The cross-section was kept the same with one exception; the shoulder which was 2 feet wide went to 8 feet wide. The cross-section and the chart that is in the model ordinance were put in this Ordinance. This does not apply to collectors or arterial roads. Mr. Lauriello stated that in Scenario “C”, they would add arterial streets. Mr. Henke stated that he is fine with the widths they talked about at the last work session when they agreed to a 32 foot cartway for the cul-de-sac if the ADT is less than 400 average trips daily, 34 foot cartway for the local streets and staying with a 36 foot cartway for the collector roads. Ms. Shellenberger said that the Ordinance is encouraging connectivity in developments by encouraging developers to do greenway trails and

hopefully that will at some point result in some alternatives for people to riding on the roads. Mr. Lauriello pointed out that Section 511.F.8 dealing with the connectivity between activity centers and development parks on Page V-33 was added as Item 8 and that had to do with pedestrian connections discussed at the last work session. There was discussion whether only walkers would use a path or would bicyclist also be able to use the paths. Ms. Shellenberger stated that she felt there should be a reference to some type of standards that would have to be met regarding the path. Mr. Ahlfeld stated that what they are talking about is providing pieces of a network of walkways within a new development. Mr. Lauriello pointed out that the overall Section 511 talks about land dedicated for park recreation and open space. There are criteria in sections “E” and “F”. Section 511.F.8 applies to adjacent properties. Mr. Ahlfeld stated that he feels that wording “on adjacent properties” should be added to clarify it. Mr. Henke asked if there is a traditional residential development with sidewalks, are you also required to put in a perimeter trail and Mr. Lauriello stated no. In the open space, there should be pedestrian facilities. Mr. Lauriello stated that we talked about Section 511.G.2 on Page V-34 at the last work session; this discussion was regarding designated greenways and the list in Section 511.G.2.a.1) a thru f. The wording was added “but not limited to these natural watercourses”. Mr. Lauriello pointed out that Section 511.G.2.letters “g” & “h” was modified slightly. Mr. Ahlfeld stated that he felt the greenway section is not as inclusive as it should be. Mr. Lauriello advised him that he would add language to clarify that the greenways do not just apply to the list included in the SALDO. Mr. Lauriello advised the Commission that any of the tributaries that are listed plus ones not listed as per Section 511.G.2.h. have to have access provided from public streets, public easements or other public facilities.

Mr. Ahlfeld stated that he feels that the LIMC Plan should not be referenced but instead use the words Township Comprehensive Plan. Mr. Ahlfeld stated that he feels that where it talks about the Regional Plan and the LIMC Plan, it should either refer to Growing Together, which is the Township’s Comprehensive Plan, or just refer to the Township Comprehensive Plan; this wording should be consistent throughout the Ordinance. Mr. Lauriello advised Mr. Ahlfeld that he would change the wording to the adopted Manor Township Comprehensive Plan throughout the entire document.

Mr. May informed the Planning Commission that he and Allen Kreider are meeting with an Energy Conservation Consultant regarding street lights on Friday. A significant change might occur with the street light section of the ordinance.

Mr. Haverstick stated that issues will always surface and there will have to be modifications made to the Ordinance; that should not stop the Commission from completing what they are working on at this time. As ideas come up, they can be addressed at that time.

Mr. Lauriello stated that he will put together another draft based on the input tonight for the Planning Commission to review at next months meeting.

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

Respectfully submitted,

Evelyn Rineer  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, March 10, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, March 10, 2008, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, Donald Witmer, Mary Glazier and Pamela Shellenberger  
Member Absent: Beth Herr  
Visitors Present: Bonnie Miller, 113 Bent Tree Dr  
Earl newcomer, 276 Blue Rock Rd  
John Hogan  
Eli J. Jones, Lancaster Newspapers  
Fred Funk  
Doug Motter, Homestead Village  
Mark Huber, 1076 Centerville Rd  
Al Kreider, 141 Supervisors Rd  
Richard C. Bauder, 130 Sheep Lane

### **Public Comments**

There was no public comment.

### **Minutes**

Jim Henke made a motion to approve the meeting minutes with one correction. On the first page the fourth paragraph under Old Business the word “least” should be “last”. Mr. Haverstick seconded the motion and the motion carried with Mary Glazier abstaining.

Mr. Ahlfeld advised the public that the Commission would be making a change in the order of the agenda items and taking any New Business before the Old Business.

### **New Business**

Briefing Item – Plan #08-001-A-Minor Subdivision Plan for Earl Newcomer & Waiver of Sec. 403.6.3 Wetland Study - Mr. Lauriello advised this is a 2.9 acre tract that is located in the RH Zoning District and divides it into 1.89 acre tract and 1.06 acre tract. The 1.06-acre tract has a proposed dwelling to be constructed in place of an existing barn and the 1.89 acre tract has an existing dwelling and garage. The tract is located on Blue Rock Road across from Old Blue Rock Road. Action will be taken at the next meeting.

Mr. Henke asked what would be done with the gravel lane to the west. Mr. Lauriello advised him that a highway occupancy permit was applied for the proposed driveway and PennDot’s response was that the gravel driveway would have to be removed to have a new driveway.

Ms. Shellenberger asked if clarification regarding the driveway would be made on the plan.

Mr. Newcomer asked why there could only be one driveway and Mr. Lauriello advised him that it is a regulation of PennDot. Mr. Newcomer stated that they are appealing PennDot's decision.

Mr. Haverstick questioned what would be required in abandonment of a driveway.

Ms. Shellenberger questioned Plan Note #16 and why it was on the plan.

### **Old Business**

Mr. Ahlfeld stated that they would be addressing an item not printed on the agenda. The Commission had a letter from Attorney Goodman dated February 29<sup>th</sup> regarding the retirement home amendment. This is an amendment to the Zoning Ordinance that would provide additional criteria for nursing, rest and retirement homes relating to maximum lot coverage. Mr. Ahlfeld advised the Commission that there were several things the Commission had addressed previously that was not included in the amendment and asked if anyone knew why they were not included. The two items addressed were height and at the end of Paragraph "E" where it states, "the following standards shall apply in lieu of all other standards", the Commission felt that there should be clarification whether that meant all other standards in Section 441 or the entire Zoning Ordinance. Mr. Ahlfeld asked Mr. Kreider why the two things the Commission had recommended were not incorporated and Mr. Kreider indicated he did not know. It was pointed out that the numbering in the amendment was inconsistent with the numbering in the Zoning Ordinance.

Mr. Laudien advised the Commission that he would take the amended ordinance back to Mr. Goodman and get clarification as to why the Commission's recommendations were omitted and clarification on the numbering and bring it back before the Commission. Mr. Ahlfeld asked if the timing would be okay and Mr. Laudien did not feel the timing matters. Mr. Ahlfeld stated they would be looking at the numbering, what standards this applies in lieu of and address the issue of 70' height.

SALDO Revisions - Mr. Lauriello stated that he had hoped that he incorporated all the Commissions revisions from the previous work sessions and is now in position to recommend approval of this revision and pass it onto the Board of Supervisors possibly with a minor tweak here and there.

Mr. Lauriello pointed out that at the last work session they talked mainly about the street cross sections, the park and open space, the natural features and the historic resources.

Section 407.5-Historic Features Report -The main change made there was to take out the requirements for any archeological surveys. Ms. Glazier questioned who was included under the applicant. Mr. Lauriello advised her that it included anybody submitting a subdivision/land development plan. Ms. Glazier expressed concerns with the requirements and that it would be burdensome for the ordinary resident. Mr. Ahlfeld stated that he would not want someone to have to hire an archeologist to determine how to deal with historic structures. He feels that is two separate fields. Mr. Ahlfeld would like the word archeologist taken out. Ms. Glazier stated that she feels if the Township is

interested in identifying historic sites why doesn't the Township identify them rather than put the burden on the average person. Mr. Haverstick stated that he felt the original intent was that a project would have to meet one of the criteria as specified in Paragraph "A" and the catch all in the event that it wasn't listed, was if it were deemed historic by the Board of Supervisors or themselves. Instead of requiring the report with all subdivision plans, it would be all plans that have something meeting No. 1, 2, 3 or 4. Ms. Shellenberger indicated that she had brought this up at the last meeting regarding "B-4" asking did the Township have anything that was deemed to be of local historic significance and the answer was no. It did not get changed in "A" but was changed in "B-4" to use the word potential so there is a conflict between "A" and "B-4". Ms. Shellenberger's question was if there were any criteria for how someone would determine if something was historic and the discussion was that it should be left vague because they did not want to get that specific in this Ordinance. Mr. Haverstick stated the reason for the vagueness was that things change and if you specify you might leave the floodgate open. Mr. Haverstick pointed out that if the project does not meet any of the criteria then none of the studies are required. Mr. Laurillo asked if anyone had read the article in the most recent Township New Magazine on historic preservation, ordinances and comprehensive plans and gave a brief synopsis of the article.

Mr. Lauriello indicated the direction he had so far was to remove the references to archeologist. Ms. Shellenberger added that another change is making the last provision in #4 in the first paragraph consistent with "B-4" with the word "potential".

Mr. Haverstick asked Mr. Laudien if it would be the staff's responsibility to screen the application to see if it qualifies for any of the criteria under Historic Features. Mr. Laudien stated that he likes the way it is written now that an applicant would come in and indicate whether they meet any of the first three criteria and would most likely at that point submit for a waiver. Mr. Laudien stated that he takes "C" as the controlling mechanism that should the Board of Supervisors or the Planning Commission determine there is a structure on that property of historic significance not identified in 1, 2 or 3, then that waiver would be denied. Then "C" would require the applicant to provide some sort of statement from a qualified historian indicating that structure was not historically significant. If the waiver was granted, no study would need to be done; but if the waiver was denied than "C" would kick in.

Mr. Ahlfeld asked the question under "Paragraph I", if the Township wanted to keep you from demolishing a building could they do that. Mr. Lauriello did not know if there could be no demolition. Mr. Lauriello referred to "I-2", which stated that if the applicant is proposing demolition, the applicant should submit a letter from the State Historic Preservation Officer. Mr. Lauriello stated that this is advised really as a way to get the applicants to think about adaptive reuse as alternatives to demolition of structures. Mr. Lauriello pointed out that this does not close the door on demolition. Mr. Laudien advised the Commission that there is a demolition permit process. Mr. Ahlfeld asked if that takes historic significance into consideration. Mr. Laudien advised the Commission that it is not a very good permit process and Mr. Ahlfeld stated that he feels that the demolition permit process should be worked on parallel to the SALDO. Mr. Henke pointed out that this demolition permit process was discussed several months ago.

Mr. Ahlfeld asked what approach the Commission wanted to take. Require the study for all subdivisions recognizing that waivers can be asked for and probably easily

granted or only to apply this to properties with historic resources or potentially deemed historic resources. Mr. Henke, Mr. Haverstick and Ms. Glazier preferred the second option.

After extensive discussion, Ms. Glazier made a motion that if there is a historic structure on the property which is listed on or eligible for listing on the National Register of Historic Places, or is a National Historic Landmark or National Engineering Landmark or is considered to have potential historic significance by the Historic Preservation Trust and/or the Pennsylvania Historical and Museum Commission then the applicant has to describe how that structure is going to be preserved, reused and protected stated in sections "D, E, F" and the rest of section. Mr. Ahlfeld asked if she was deleting #4 and she stated she was as well as deleting "C". Ms. Shellenberger seconded the motion. After further discussion, Mr. Ahlfeld called for a vote on the motion. Mr. Lauriello asked to clarify the motion the motion is basically to remove #4 under "A, B & C" and only require this when historical features are on the tract. The motion passed 4-2 with Mr. Ahlfeld and Mr. Haverstick opposing the motion.

Mr. Haverstick questioned what happened to the archeological function. Mr. Lauriello stated that he thought that was the direction given to him at the last meeting. Ms. Shellenberger thought the archeological sites on the National Register were going to be kept because they are identified. Ms. Shellenberger made a motion that archeological sites listed on the National Register be considered under this section. Ms. Glazier seconded the motion and the motion passed 5-1 with Mr. Witmer opposing the motion.

Page V - 7 regarding roads there were no changes or discussion.

Page V - 35 – Parks & Greenways – Mr. Ahlfeld had a question on the 2<sup>nd</sup> line from the bottom of the page regarding the phrase "Comprehensive Plan as amended". Does that mean as amended sometime in the future, because it has not been amended to date. Mr. Lauriello advised him that it would apply to any time it is amended. Mr. Ahlfeld questioned Paragraph "B" the third line which reads "with a required greenway". Mr. Ahlfeld asked, required by what? Mr. Haverstick read the meaning of the phrase as referring to "a-1)a)" through "1)f)" but not limited to. Ms. Glazier questioned why the word "required" is used in "2-b". Ms. Glazier asked if there are greenways that do not have public access and Mr. Ahlfeld advised her that there might be sections of riverbanks that are environmentally sensitive because of the species they support or steep slopes where you would not want to have the public walking in the area. Mr. Laudien pointed out in most instances you would want public access for the greenways and in the instances you did not, it would be at the discretion of the Commission to waive that requirement. There was discussion on Page V-36 "h" and Mr. Ahlfeld advised the Commission that the idea was if there is a greenway along a creek that does not connect to a public road, and then the subdivision would have to provide a pedestrian way. Mr. Ahlfeld questioned if "b" & "c" on Page V-35 are inconsistent. It was stated that access does not necessarily mean thoroughfare. There was further discussion on the word "required" and whether it should or should not be used. The word "required" will remain in the ordinance. Mr. Ahlfeld questioned if greenways on non-watercourses were covered. Page V-34 No. 8 was pointed out and Mr. Laudien stated that he felt Page V-35 "2-C" also covered greenways on non-watercourses.

Mr. Haverstick made a motion to approve the Manor Township Subdivision Land Development Ordinance as presented to us with the changes recommended this evening and recommended that the Supervisors adopt the Ordinance with the changes made this evening. Mr. Witmer seconded the motion and the motion carried unanimously.

**Other Business**

Correspondence – Mr. Glazier advised the Commission that she had two pieces of correspondence from the LCPC. A letter dated February 26, 2008 indicating Final Plan approval of Parkfield Phase 3 with conditions. A letter dated February 21, 2008 giving notice that the Earl L. & Ruth B. Newcomer plan was scheduled for review on March 10, 2008 by the LCPC.

Mr. Ahlfeld advised the Commission that the LIMC’s annual dinner meeting is on Thursday, March 27<sup>th</sup> and everyone is welcome. Mr. Ahlfeld handed out notices and advised reservations need to be made by Thursday, March 13<sup>th</sup>.

On April 1<sup>st</sup> there is a forum titled “Trees Make Neighborhoods Great”. Mr. Ahlfeld asked that Mr. Laudien e-mail the announcement to the Commission members. The forum is sponsored the Coalition for Smart Growth. They are also planning a workshop in late May and there will be details at a later date. The forum will be on walk ability in communities.

Mr. Ahlfeld received a mailing from a retired Professor from Millersville and he would ask Mr. Ott to copy and forward to the Commission. The mailing is regarding development versus no growth issues.

There being no further business the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, April 14, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, April 14, 2008, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, Pamela Shellenberger and Mary Glazier  
Member Absent: Donald Witmer  
Visitors Present: Millersville University Students: Carolyn Keene, Josh Long, Whitney Duncan, Nicole Graber, Nick Szelak, Matt Long, Jeremy Crum, Chris Ecker, Danielle Turner  
Earl Newcomer, 276 Blue Rock Rd  
Jeff Bowlby, Diehm & Sons, Inc.  
Bonnie Miller, 113 Bent Tree Dr  
Jim Huber, 113 Shannon Dr  
Elli Jones, LNP  
Scott Wails, LCPC

### Public Comment

There was no public comment.

### Minutes

Mr. Henke made a motion that the meeting minutes be approved as drafted. Mr. Haverstick seconded the motion and the motion carried unanimously.

### Old Business

Action Item-Plan #08-001-A – Minor Subdivision Plan for Earl Newcomer & Waiver of Wetland Study - Jeff Bowlby from Diehm & Sons presented the plan. This plan is a subdivision of a 2.95 acre tract located at the intersection of Old Blue Rock Road and Blue Rock Road (Rt. 999). Mr. Newcomer is interested in dividing the lot into two tracts. They will be removing the barn and building a house on the footprint of the barn. There will be a little less than 1,000 sq. ft. of new impervious area; therefore, they are exempt from doing stormwater. Mr. Bowlby pointed out on the plan the area of the sanitary sewer line. They are requesting a waiver of the wetland study. Mr. Bowlby advised they had received Rettew's review letter. Rettew's letter recommends the waiver for the wetland study be denied. Mr. Lauriello advised the Commission that they only need documentation that there are no wetlands. There is also a waiver request regarding curb and sidewalk. Mr. Bowlby pointed out that there is no curb or sidewalk located within the vicinity of the project. The applicant would be willing to put a note on the plan indicating that when Manor Township would bring curb and sidewalk down Blue Rock Road that the applicant would be willing to pay for it.

Mr. Lauriello agreed with Mr. Bowlby's comments and stated that they recommended this waiver be denied but will allow the applicant to defer the installation and improvements until the Township feels that the improvements are necessary. Mr. Lauriello directed the Commission to the County's letter and their comments regarding pedestrian easement to be provided along LASA's right-of-way easement. Mr. Bowlby pointed out that the area of the LASA right-of-way on the property. There was discussion on the possibility of wetlands existing on the tract, the County's recommendation regarding a pedestrian easement through LASA's right-of-way and reasons for not mandating installation of curb and sidewalk at this time. Mr. Henke asked for an update on the highway occupancy permit from PennDot and he was informed that two driveway entrances have been approved. Mr. Henke had a question on the comment dealing with Park & Recreation regarding a note on the plan that read "represents one of the three new residential units that can be created prior to satisfying Park & Recreation" requirement.

Ms. Shellenberger questioned a comment under zoning in Rettew's revised comments that suggested changing the setback from 40' to 25' and wondered why they would make that change. Ms. Shellenberger was advised it should be 40'.

Mr. Henke made a recommendation that the waiver request for the wetland study be denied and require the applicant to provide some sort of verification of the presence or absence of wetlands on site. Mr. Haverstick seconded the motion and the motion passed 4 to 1 with Ms. Glazier voting against the motion.

Mr. Haverstick made a motion to defer installation of the curb and sidewalk until such time that the Township deems it necessary at their discretion to install sidewalks and curbs. Ms. Glazier seconded the motion. Mr. Ahlfeld made a clarification that the responsibility lies with whoever owns the property at the time. The motion passed unanimously.

Mr. Ahlfeld called for a motion on the overall plan including the comments in Rettew's letter with the understanding that the General note #16 should be removed from the plan. Mr. Henke made a motion to recommend conditional approval of the Earl L. & Ruth B. Newcomer final subdivision plan based upon Rettew's April 1, 2008 review letter subject to the striking of the first clause of the sentence under Zoning #1. Ms. Shellenberger seconded the motion. Mr. Haverstick felt that they needed to deal with the pedestrian easement along the LASA easement. Mr. Haverstick stated that he saw no need to do a pedestrian easement in this case and Mr. Henke agreed. Mr. Henke amended his motion so that Item #2 under Subdivision/Land Development would not be required to be imposed. Ms. Shellenberger seconded that amendment. The motion carried unanimously.

Zoning Ordinance Amendment – Text Amendment to Section 441 - The Commission had a letter from Attorney Tom Goodman with an attached draft of an Ordinance to deal with an amendment to Section 441 of the Zoning Ordinance relating to Nursing, Rest or Retirement Homes before them. The amendment incorporates the Commission's decision and recommendation made previously to allow structures to be as high as 70'. The Commission also felt there was a clause in the amendment that was ambiguous, which was located at the end of Paragraph "E" as to what section it applied to but Attorney Goodman felt it was clear the way it was stated.

There was a review memo from the LCPC planner Scott Wails that advised the Township in a summary of the review that the Township is essentially changing the zoning to accommodate a developer. By changing that zoning or even the existing zoning is not consistent with the Township's newly adopted Comprehensive Plan and not consistent with the County's

Comprehensive Plan. Mr. Wails pointed out that if there is a vision as to how they want to grow and they keep changing the vision based upon what comes in the door, then they are not being consistent with their vision of how they want to grow. The County is stating that rural zoning with the density of what is being proposed is not consistent. Mr. Wails continued by stating that if this is where they want a retirement community, then change the growth area and change the density to actually get a denser better product.

Mr. Ahlfeld stated that another way to put it is this amendment sort of legitimizes something that is wrong in the first place.

Mr. Wails pointed out that the Township is weakening the growth area by agreeing to provide density outside of it.

Ms. Glazier stated that she feels the entire rural zone needs to be revised.

Ms. Shellenberger pointed out an area should be within the growth area if it is intended to be serviced by public utilities.

Ms. Glazier stated that the process may be backwards but she is not sure the outcome is terrible. If they would decide this should be in the Urban Growth area, then you would open the door for a much different kind of development, which is going to be high density up against a more rural residential area. Mr. Ott stated that he felt that this amendment came out of the fact that the tract did not get included in the Urban Growth Boundary during the drafting of the Comprehensive Plan. Ms. Glazier stated that she does not feel that this is out of keeping with the idea because it is almost a rural transition zone. There will be a lot of open space kept with this project.

Ms. Shellenberger pointed out 6 ½ units are allowed per growth acre concentrated on a net half of the site so the developed portion will be very intensive. Ms. Glazier indicated that half of the site would not be developed at all providing the type of thing you would expect to find in a rural area.

Mr. Haverstick advised the Commission that when this was discussed originally in terms of inefficiencies, the Commission felt that for the project that was proposed, they should be allowed to develop it more densely than was allowed under the rural zoning. Mr. Haverstick agrees with Ms. Glazier that the way the rural zoning section is written, there are many deficiencies in it. Ms. Shellenberger stated that she has no objection to the use for the site, but maybe there should be a reevaluation of the entire rural area and the Township's growth area so you do not start a trend of developing in the rural zoning outside the UGB. Ms. Shellenberger stated that she does not want to see a precedent set. Mr. Haverstick advised the Commission that he would like the Supervisors to take a look at the rural section of the zoning ordinance in its entirety and consider revising it in a way that does not put the Commission in a position where they feel as though they must compromise. Ms. Shellenberger agreed with Mr. Haverstick. Ms. Glazier stated that the description of the rural zone does not really fit this site; whereas the other areas that you can have nursing, rest and retirement homes are in zoning districts such as RH and RH1 zones. Maybe it would be better to rezone this tract then make an amendment to the zoning ordinance. Ms. Shellenberger pointed out that Section 441 still applies no matter which zoning district, R, RH, or RH1 the tract is in.

After extensive discussion, Mr. Haverstick made a motion to defer action on this amended ordinance as presented until the Supervisors have the opportunity to study the memorandum letter from the LCPC relative to this site. Ms. Glazier seconded the motion and the motion carried unanimously.

## **New Business**

### Briefing Item – Plan #08-002-A – Breneman/Zimmerman Subdivision Plan & Modification

Request - Mr. Lauriello advised this is a 93 ½ acre site located on the east and west side of Franklin Road. They are dividing this into two tracts with the subdivision line basically running with the drainage swale. Lot #1 is just less than 42 acres with approximately 28 acres being in West Hempfield Township. Lot #2 is approximately 51 ½ acres. It was requested that West Hempfield defer plan approval, but the applicant was advised West Hempfield was not deferring the plan approval. There is no proposed construction. Both Lot #1 and #2 will remain in agriculture. Lot #1 has the existing barn and farmhouse. Lot #2 has no buildings and none are proposed. Ms. Shellenberger asked if the applicant would have to come back if they would want to put a farmstead on the property. Mr. Lauriello advised the Commission that they would only have to come back with the stormwater management plan that would be required.

## **Other Business**

Correspondence – Ms. Glazier had a letter dated March 18, 2008 from LCPC indicating that the J. Earl & Connie J. Breneman, et al & Keith A. Zimmerman subdivision plan was scheduled for review April 14, 2008.

Ms. Glazier had a brochure from Governor's Center for Local Government Service regarding training program for Finding Hidden Opportunities, Understanding Infill, Redevelopment and Replacement offered in May and June.

Scott Wails reminded the Commission that the County sponsor's regional breakfast meetings and they should be getting information regarding the spring breakfast meeting.

There being no further business meeting was adjourned at 8:55 p.m.

Respectfully submitted

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, May 12, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, May 12, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Scott Haverstick introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Mary Glazier, Pamela Shellenberger, and Donald Witmer  
Member Absent: John Ahlfeld  
Visitors Present: Jim Huber, 113 Shannon Dr.  
Dave Miller, David Miller Associates, Inc.  
Mark Huber, David Miller Associates, Inc.  
Jeff Burkhart, David Miller Associates, Inc.  
Fred Funk, Millersville  
Mark Lauriello, Rettew Associates  
John Hodge  
Patrick Zaepfel, Kegel Kelin

### Public Comments

There was no public comment.

### Minutes

Mr. Henke recommended the April 14<sup>th</sup> meeting minutes be approved with a correction on Page 3 that should read, "Ms Glazier stated that she". Ms. Shellenberger seconded the motion and the motion carried with Donald Witmer abstaining.

### Old Business

Action Item – Plan #08-002-A – Breneman/Zimmerman Subdivision Plan & Modification Requests – Jeff Burkhart presented the plan stating they had met with West Hempfield Township since the last meeting requesting that they defer the review plan process. West Hempfield agreed to defer to Manor Township with a change to Note #13 on the plan that would require a nutrient management plan be provided if there is any construction of farm buildings. Mr. Burkhart stated that is the only change to the plan other than the response to the engineer's comments.

Ms. Shellenberger felt the plan should spell out the exact acreage of Lot #1 that is located in Manor Township. Mr. Burkhart advised it is referred to on the first page of the plan.

Mr. Henke asked if the April 24<sup>th</sup> letter was responded to and Mr. Burkhart referred to a letter dated May 6<sup>th</sup> that he stated is the response. Mr. Henke had questions on the monumentation for the lot lines.

Mr. Haverstick asked if there is a significant difference between the rural zone in West Hempfield and Manor Township and he was advised there are differences.

Mr. Henke made a motion to recommend for approval modification of Section 403.1.A – Plan Scale -based on justification provided. Ms. Glazier seconded the motion and the motion carried unanimously.

Mr. Henke made a motion to recommend for approval modification of Section 404.2.F – Concrete Monuments – based on justification presented. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Mr. Henke made a recommendation that final subdivision plan for J. Earl & Connie J. Breneman and Keith A. Zimmerman be conditionally approved based on the May 6, 2008 engineer’s letter. Mr. Witmer seconded the motion and the motion carried unanimously.

Zoning Ordinance Amendment – Text Amendment to Section 441 – Dave Miller stated that he is working with Fred Funk and John Hogan on this text amendment. Mr. Miller stated that the Supervisors looked at this at their last meeting and the review from the Lancaster County Planning Commission. Due to the comments from the LCPC, the Supervisors requested that it go back to the Township Planning Commission for their consideration. As a result of the comments from the Supervisors meeting, Mr. Smith drafted a memo giving direction from the Supervisors to the Commission regarding the Funk Property Zoning Text Amendment. Dave Miller stated that they seem to be wrestling with procedures and would like to find a way to go forward. Mr. Miller talked about what is provided for under the current zoning and stated that the type of nursing/retirement home provided for is not the type of facility that is in demand today. Mr. Miller went over the procedure they have followed and expressed a desire to move the project forward.

Mr. Witmer expressed his unhappiness with the time frame in which this request was moved forward. He stated that if the zoning is in place, there may be too many changes made to accommodate projects. Mr. Witmer stated that the lines are in place for a reason.

Mr. Henke pointed out that the use before them is provided for through a special exception.

Mr. Haverstick stated that he feels the Rural Zone needs to be looked at but he feels this is a viable project.

Mr. Henke pointed out that there is 50% open space as part of this project.

Mr. Miller stated that a care facility is not the same density as in a development. The facility is specific to this site and is in proximity to things that already exist.

Mr. Haverstick stated that he had asked Supervisor John May to attend this meeting to advise the Commission of their thoughts behind expanding the Urban Growth Boundary, but he was not present.

There was discussion on moving the Urban Growth Boundary as well as rezoning of the parcel. Mr. Ott indicated the properties that are not developed within the Urban Growth Boundary and pointed out parcels that are approved but not built out.

Ms. Glazier stated that she is not concerned with where a line is but what is there and what makes sense.

Mr. Haverstick stated that it also makes sense to put a good project on property that can handle it. Mr. Haverstick asked if they could come to a point of agreement and

that point was to ask the Supervisors to re-evaluate the rural zoning uses. All the Commission members were in agreement.

John Hogan stated that they have been looking for this type of location for a long time with proximity to the community and demographically it is something that is needed in this community. Mr. Hogan pointed out that what is provided for in the Ordinance has changed drastically in the last fifteen (15) years.

Mr. Henke stated that he appreciates the County's comments but he leans towards Ms. Glazier's thinking that this is a good use for this tract and is encouraged that there will be 50% open space and he is not concerned with the height of the buildings. In his opinion, they are back to where they started. His opinion is that they should proceed and apply for a special exception. He realizes the Urban Growth Boundary should be moved to bring this into conformance to what the County is looking for.

Ms. Shellenberger has no objections to the use. She stated that to rezone the property, it might open up the property to uses that the Commission would not like to see at this location.

Mr. Henke stated that he feels it is imperative that the Planning Commission and Supervisors' thoughts are forwarded to the Zoning Hearing Board so conditions of approval can be placed on the application.

Mr. Haverstick recommends that they approve the text amendment and after the fact change the Urban Growth Boundary to include this property.

Ms. Glazier made a motion to recommend to the Supervisors that they enact the proposed changes to the Zoning Ordinance as proposed in the final version in the April 14<sup>th</sup> correspondence from Tom Goodman. Mr. Henke seconded the motion and the motion carried unanimously.

There was discussion on whether this would be seen again by the Planning Commission.

Mr. Haverstick stated that he would like to seriously revisit the rural zoning. The Planning Commission stated that they feel changes need to be made to the rural zoning district. The Commission asked that the Supervisors look at the rural zone regarding uses.

There was further discussion on the agricultural zoning area and the restrictions that apply in that district.

### **Other Business**

Correspondence - Ms. Glazier had a brochure regarding Walkable Communities Leadership Breakfast held on Thursday, May 28, 2008 at Bolger Conference Center on the Campus of Millersville University.

Memo dated April 25, 2008 advised that the Lancaster County Planning Commission's agenda briefings and public meetings would meet at 3:00 p.m. instead of 4:00 p.m. effective May 12, 2008.

Letter from the LCPC dated April 15, 2008 with comments regarding the Funk property.

Letter from the LCPC dated May 1, 2008 indicating receipt of the proposed amendment to the Zoning Ordinance this is scheduled for review on May 27<sup>th</sup>.

Letter from the LCPC dated May 1, 2008 indicating receipt of the proposed extension of the Columbia Water Company and scheduled for review on May 27<sup>th</sup>.

Letter from LCPC addressed to Elected Municipal Official with copies of Memorandum of Understanding to help streamline the subdivision and land development review process for the municipal government and LCPC.

There being no further business the meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, June 9, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, June 9, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, Pamela Shellenberger and Mary Glazier  
Member Absent: Donald Witmer  
Visitors Present: Jim Huber, 113 Shannon Dr.  
Al Kreider, 141 Supervisors Rd.  
Richard Bauder, Manor Township  
Elaine Jones, Lancaster Newspapers

### Public Comments

There was no public comment.

### Minutes

Mr. Haverstick made a motion to approve the minutes as written. Ms. Shellenberger seconded the motion and the motion carried with John Ahlfeld abstaining.

### New Business

Memorandum of Understanding Agreement between LCPC and Manor Township for review, discussion, and recommendation to the Township Board of Supervisors.

Scott Wails from LCPC stated the Memorandum of Understanding is a new process that the LCPC is undergoing with all of the municipalities that are in Lancaster County that have their own subdivision and land development ordinance. It is a streamlined land development and subdivision process and if a plan qualifies under the five criteria the process would essentially be the same as normally being submitted. However, when the plan comes to the County, they would actually waive their right to review it. This applies only to very simple plans such as lot add-ons, centerline separation, issues of minor land development, or if there is a final plan someone wants to come in later and do some minor changes. This developed from discussion with the LCPC members as well as with the Urban Land Specialist Danny Whittle. This has been approved in house, with their solicitor and with the LCPC. The LCPC feels that this can help the citizens of the community, because most of the time they are the ones doing the smaller plans. This plan would get the citizens a waiver report from the LCPC that is done within 15 days of the plan receipt. The LCPC is going to all the municipalities to discuss this and answer any questions hoping that the governing bodies will sign the Memorandum at a regularly scheduled meeting and LCPC would sign it. It is felt this agreement would be beneficial to everyone.

Regarding process, the applicant would submit an application, as per the subdivision and land development ordinance, sign Appendix 24, and submit 11 x 17" reductions and then somebody would do a one sentence or one page type of letter or a check list. There was

discussion regarding technical correspondence from the engineer as well. Mr. Wails advised in talking with Mr. Henke it was felt that correspondence could be sent to the LCPC at a later date. Mr. Wails advised that the responses have been mostly positive. They are trying to cut the bureaucracy and the time in the development community especially for people doing small projects.

Mr. Haverstick stated that he feels it is a good project but questioned if there has been a change in the MPC or reinterpretation that now allows this or has it been going on in other counties. Mr. Wails advised him that the idea came from other states that have developed relationships with their municipalities or counties. Mr. Wails advised them that the MPC stated the plan needs to be submitted for the County's review but it does not say it must actually be reviewed so the LCPC is stating that they are waiving their right to review the plan. This has been approved through their solicitor. Mr. Haverstick pointed out that they could also opt not to have the review waived. Mr. Wails stated there are some options: you could not sign the agreement, sign it but whenever something comes up that the Commission feels uncomfortable with ask the LCPC to review as they normally would or after a trial time the Commission feels it is not working they can give the County a 30 day notice and opt out of this agreement. This is automatically renewed on a yearly basis.

Mr. Ahlfeld verified that there is paperwork done on each plan. Mr. Wails advised them that they would have the Appendix 24 that they would like to continue to receive, need to have mylars submitted and a set of plans at the end that need to be legally recorded in the deeds office. Mr. Wails advised the Commission that the fee structure is not changing but the benefit is time.

Mr. Haverstick made a motion to recommend to the Manor Township Board of Supervisors approve the Memorandum of Understanding regarding the Subdivision and Land Development Ordinance. Ms. Glazier seconded the motion and the motion carried unanimously.

Mr. Bauder asked if the format is developed. Mr. Wails advised him that it is essentially developed. Mr. Wails advised him that the check list is not developed but the information in the Memorandum in terms of A, B, C, or D is developed. Mr. Wails advised the Commission that the LCPC is suggesting the municipality write them a letter advising them that they qualify under one of the criteria.

Lancaster County Envision Partnership – LCPC Presentation - Mr. Wails advised the Commission that this is the strategically implementation process that they have developed at the County to help them implement the County's Comprehensive Plan Balance which is their Growth Management Plan. They have determined the best way to implement the County's vision of what should be happening is to work with the municipalities in a partnership. This formalized the partnership and is not a legal document but basically a handshake agreement. Mr. Wails advised them that they are trying to do this on a regional basis. Mr. Wails explained what is included on the form for the Envision Partnership. Mr. Wails talked about how the signatures may be obtained for the Partnership. Mr. Wails advised the Commission that all the municipalities that agree to this partnership will have a final version of signed form to be posted in their office.

Mr. Ahlfeld asked how they are dealing with Columbia Borough and Pequea Township who are members of the LIMC but not part of Growing Together. Mr. Wails advised that Mr. Whittle would be better able to answer that question. Mr. Wails stated that they hoped that municipalities that had joint comprehensive plans would all want to sign together but they would sign up individual municipalities. Mr. Ahlfeld asked if it would be possible to refer to the

LIMC Regional and Municipal Comprehensive Plan by its name rather than calling it the LIMC Regional and Municipal Comprehensive Plan. Mr. Wails questioned if the name needed to be changed.

Ms. Shellenberger questioned the reference to a committee in the packet and Mr. Wails advised in this case it is the LIMC Committee.

Mr. Haverstick asked Mr. Ahlfeld to explain the reason Pequea Township opted out of the Regional Comprehensive Plan. Mr. Ahlfeld felt there was a fear that Pequea Township being a smaller municipality might be dumped on with things they did not want. Mr. Ahlfeld advised them that they felt it would be the reverse in that it would help Pequea Township more than any other municipality because they want to go slow on development and using the shared land concept they could have said they were not going to provide certain uses.

Mr. Bauder asked how Mr. Wails envisioned the impact of day-to-day decisions with regard to the County Comprehensive and the Growing Together comprehensive plan. What is the change from what is being done presently? Mr. Wails advised him that the day-to-day operations would not change at all. In terms of the intergovernmental agreement and joint comprehensive plan it is Mr. Wails understanding that the MPC enables legislation to allow county and municipalities to plan.

Mr. Ahlfeld advised them that the one thing the planning code requires is having an implementation agreement if you want to use this principal of shared land uses. If one municipality provides a landfill others do not need to. You need to have an agreement to do that.

Ms. Shellenberger advised them that this partnership is a different agreement than the intergovernmental implementation agreement saying that the 11 participating municipalities agree to implement that plan. This partnership is saying that the implementation of that plan could be continued to help the County implement their plans since the County does not have the power that the municipalities do to carry things out. Mr. Wails stated that it goes both ways. Ms. Shellenberger asked in that regard if the County will be taking a look at the local ordinances and making recommendations stating you adopted this plan but your ordinances are in conflict with it and suggest other things be considered. Mr. Wails advised her that he essentially does that now in that in his zoning reviews if he sees something that is not consistent with their plan or Growing Together he will state that.

Mr. Haverstick made a motion to recommend to the Manor Township Supervisors that they sign onto the Envision Partnership as presented. Ms. Shellenberger seconded the motion and the motion carried unanimously.

### **Other Business**

Mr. Ahlfeld advised them that they had received a letter from Attorney Goodman regarding the proposed zoning amendment that is going to be acted on July 7<sup>th</sup>. This is regarding a recommendation that the Planning Commission made last month. The amendment is what the planning commission recommended.

### **Correspondence –**

Ms. Glazier advised the Commission that she received a letter from LCPC dated May 28<sup>th</sup> regarding the proposed Zoning Text Amendment.

Ms. Glazier stated that she had a copy of a letter to David Lewis from the Columbia Water Company dated May 28<sup>th</sup> regarding the application for expansion of the Columbia Water Company franchise/certificated territory. The LCPC supports the extension of service to Letort

Manor and Perth Hills Developments. LCPC does not support expansion to areas not designated as “Needs Area”.

There was some discussion on the proposed zoning text amendment. Ms. Glazier stated that she does not see this as the exact type of thing that you would want in the Urban Growth area but in some ways this kind of plan for that type of rural area between high density and low density areas seems like a good compromise. As you look at the other rural area where it could also be done, it seems like it would work in those areas as well whereas Ms. Glazier stated that she would not necessarily agree that they should expand the urban growth area. This is not exactly high-density residential development and it is obviously not exactly what you think of as rural. Given the highbred quality of rural area in the zoning ordinance it does not seem to be a bad fit to Ms. Glazier.

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

Respectfully submitted,

Mary Glazier  
Secretary

Evelyn Rineer  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, July 14, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, July 14, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Ahlfeld introduced the Planning Commission members and led in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, Mary Glazier and Pamela Shellenberger.

Members Absent: Donald Witmer.

Visitors Present: Jim Huber, 113 Shannon Drive  
Elaine Jones, Lancaster Newspapers  
Leslie Osborn, 109 Oak Road  
Janice Kersic/Matt Kersic, 3129 Windon Road

### Public Comments

There were no public comments.

### Minutes

Mr. Haverstick made a motion to approve the June 9, 2008 minutes as written. Ms Shellenberger seconded the motion and the motion carried unanimously.

### New Business

Amendment to Manor Township Zoning Ordinance Section 405.2 – Criteria for animal hospitals, veterinary facilities and kennels. The applicant wishes to replace existing text for Section 405.2 with the following text: Animal Hospitals and Veterinary Clinics shall be located on a tract which shall front on and gain access from either an arterial, major collector, or minor collector road as identified in the Zoning Ordinance, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements. If any Animal Hospital or Veterinary Clinic generates less than twenty (20) new vehicle trips per day, it may be located on a tract, which fronts on and gains access from a local road as identified in the Zoning Ordinance. For purposes of this Section, one vehicle trip is considered a roundtrip to and from the Animal Hospital or Veterinary Clinic.

Ms Shellenberger stated that she has concerns with putting the limit of 20 new vehicle trips per day into this. She stated that it would not only be difficult to monitor the 20 trips, but also asked how this would be enforced. She expressed concerns with the wording “new trips” and noted that it would be hard to determine new trips.

Mr. Ott introduced Leslie Osborn, the applicant for this amendment change. He noted that she is requesting this because she has made application to the Manor Township Zoning Hearing Board for a Veterinary Clinic and has been denied because she does not meet the criteria for the

type of road for the use. She is requesting this amendment change so that she would be able to go back to the Zoning Hearing Board and apply for a Special Exception.

Mr. Haverstick asked Ms Osborn if she plans to control the number of new trips by controlling the number of visits she schedules for her clinic. Ms Osborn stated yes, she would limit her appointments. Ms Osborn also stated that she must legally keep records of all visits and appointments that she has and those records would be open for the Zoning Hearing Board to examine any time they would want.

Mr. Ott stated that if Ms Osborn were to go back to the Zoning Hearing Board, they would be able to put any type of restrictions and conditions on at that time and they would be enforceable.

The Board discussed how the 20 new trips a day would be determined, if deliveries would be counted or just scheduled visits. They also discussed the wording of the amendment. Ms Shellenberger stated that they must remember that if they change the ordinance the impact will be for all applications not just this one. She questioned why they would limit this request for a clinic to 20 visits and if they would do the same for any other request of this type.

Mr. Ott stated that they have never had a request like this before and the Zoning Hearing Board could not grant this because the ordinance states it cannot be on a local road.

Ms Glazier felt that they should not put something into an ordinance that could not be enforced. Mr. Ahlfeld stated that a neighbor could count the number of cars that go to the clinic. Ms Glazier stated that it would be creating a problem if they would put this type of limitation into the ordinance. She stated in her opinion there is a shortage of veterinarians now and this would make it harder for them and she would be in favor of removing the limitation on the number of visits.

Mr. Haverstick asked for an overview. Ms Osborn stated that veterinarians are in short supply and she went to the Zoning Hearing Board to open a clinic in her area. She noted she was denied because of the type of road she is located on. She also stated that in her opinion the veterinary clinic would create less traffic than if someone would open a beauty parlor or some other type of small business. Ms Osborn stated she has done research on past minutes from Zoning Hearing requests and none have shown restrictions for the size of the road. She stated that in 2006, the restriction was added for churches and veterinarians.

Mr. Ahlfeld asked where the number of 20 trips per day came from. Mr. Ott stated that he did not know.

After some discussion, Ms Glazier and Ms Shellenberger felt that the limitation of the number of trips per day should be removed unless they are prepared for it to pertain to all special exceptions and have a solution to enforce it.

Mr. Haverstick made a motion to remove the sentence in Section 405.2 that states the limitation of 20 new trips per day.

Mr. Ahlfeld questioned removing just one sentence and felt they should look at the entire paragraph for Section 405.2. After some discussion, the Board agreed.

Mr. Haverstick withdrew his first motion and made a motion to make a recommendation to the Manor Township Board of Supervisors that they delete Section 405.2 from the Zoning Ordinance and renumber the remaining subsections accordingly. Ms Shellenberger seconded the motion, which carried unanimously.

Other Business

There was no other business

Correspondence

There was no correspondence.

There being no further business, Chairman John Ahlfeld adjourned the meeting at 8:15 PM.

Respectfully submitted,

Mary Glazier  
Secretary

Rita J. Young  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, September 8, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, September 8, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Ahlfeld led the Pledge of Allegiance to the Flag. Chairman John Ahlfeld introduced the Planning Commission members and welcomed Mark Harman to the Commission.

Members Present: John Ahlfeld, James Henke, Mark Harman, Scott Haverstick, Pamela Shellenberger, Donald Witmer and Mary Glazier.

Visitors Present: Henry F. Barley, 201 Bender Rd.  
John May, 100 Red Fox Rd.  
Leslie Osborne, 109 Oak Rd.  
Brian Ressler, 2648 River Rd.  
Al Kreider, 141 Supervisors Rd.

### **Public Comment**

Mr. Haverstick asked Mr. May to mention concepts brought up at the last Supervisor's meeting, which Mr. Haverstick hoped would be brought before the Planning Commission concerning development rights. Mr. May advised them that the Brandywine Conservancy gave a presentation regarding Transfer Development Rights Program (TDR). West Lampeter, West Hempfield, Manheim and Warwick Townships have programs in use and some are more successful than others. Mr. May indicated there is a possibility that Manor Township should consider the TDR program and suggested that the Planning Commission might want to hear the presentation given by the Conservancy. The program allows more farms to be preserved faster. Mr. May advised the Commission that Manor Township has a waiting list of 33 farms and with a TDR program they could move them up in terms of priorities. The program meshes well with the Farmland Trust program.

Mr. Haverstick feels this is something the Planning Commission needs to take a stand on and the Planning Commission should avail themselves of any presentation that Brandywine Conservancy offers. Mr. May advised them that the Conservancy has offered to help write the plan, make the zoning ordinance recognize the plan and work with the TDR program. Mr. May stated that he did not feel that the Supervisors would adopt the plan without getting input from the Planning Commission. Ms. Shellenberger advised the Commission that they are using the program in York and she indicated one of the key things is to create a viable market for the use of them. Ms. Shellenberger advised them that there is many different options that she is sure will be covered in the Conservancy's presentation.

Mr. Ahlfeld indicated the agreement set up by the Land Use Advisory Board talks about specifically implementing some of the recommendations in the Growing Together Plan. One recommendation is to look into multi-municipal TDR Programs, which are also possible. The advantage is a municipality like Manor Township that has a lot of agricultural land to be preserved could have development rights transferred into Lancaster City, as an example, where a person could build higher or put a second dwelling unit in a district that is normally single family, and additional uses in a historic

structure as a means of making it viable to preserve it. Mr. Ahlfeld advised the Commission that there is a handbook prepared by the Conservancy as consultants, which is a guideline for any municipality that wants to do a TDR program.

Mr. Witmer advised them that the preservation program has been changed making it possible for an individual to bid on having your farm preserved. If an individual were willing to take less money, they would rank higher on the list of farms waiting to be preserved.

The Planning Commission members were in agreement to hear a presentation from the Brandywine Conservancy regarding the TDR program.

### **Minutes**

Mr. Ahlfeld pointed out a typographical error on the second page, fourth paragraph that began "Mr. Ott stated" the second line should say, "it cannot be on a local road". Ms. Shellenberger pointed out a typographical error on page two with the paragraph that begins with "Mr. Haverstick" in the fourth line should read, "clinic would create less traffic than" instead of "that". Mr. Henke stated with those two corrections to the July 14 meeting minutes he recommended they be adopted. Ms. Shellenberger seconded the motion and the motion carried with Mr. Witmer abstaining.

### **New Business**

Manor Township Comprehensive Recreation & Open Space Plan 2008 Update - Mr. Ahlfeld advised the Commission that this item was on the agenda as an information item. The Park and Recreation Board have been working on a Township Park and Recreation Plan for several years. Mr. Ahlfeld had asked several times for a joint meeting or presentation and they were not able to do it. There is a complete draft of the plan in the Township Office that can be looked at. Ms. Glazier questioned if it is available or could be made available on the web site. Ms. Glazier was advised that it is not available on the web site. Mr. Ahlfeld questioned if copies could be made for the Commission members. Mr. Ahlfeld questioned the schedule for the plan to be adopted. Mr. May stated that he believed it will be on the Supervisors' agenda but they are not pushing the Planning Commission to give them their input by the next meeting.

### **Old Business**

Mr. Ahlfeld advised the Commission that at the July meeting they made a recommendation regarding removing a paragraph of the zoning ordinance that deals with veterinary clinics. The Supervisors have agreed with the Planning Commission's recommendation and asked the Township Solicitor to write a new proposed ordinance removing the paragraph following the Commission's recommendation.

Ms. Glazier advised them that the County Planning Commission did comment on original proposed ordinance. Ms. Osborne pointed out that the County has not reviewed the revised proposed ordinance. The revised version of the ordinance was sent to the LCPC on September 3rd.

Ms. Shellenberger made a motion that Section 405 of the Zoning Ordinance dealing with Animal Hospitals, Veterinary Facilities and Kennels be amended by deleting Section 405.2 as proposed. Ms. Glazier seconded the motion and the motion carried unanimously.

## **Other Business**

Correspondence – Ms. Glazier advised the Commission that she had a letter from the LCPC dated August 12th approving a 365-day waiver of the time period provided to meet all conditions of approval for Parkfield Phase 3.

Appointment of Alternate to the Land Use Advisory Board - Mr. Ahlfeld reported that 11 municipalities have approved an Intergovernmental Cooperation Implementation Agreement to work on implementing some things in the Growing Together Comprehensive Plan. The Board will work on specific projects recommended by the comprehensive plan and to serve in a review and comment capacity. The Land Use Advisory Board is made up of both voting and non-voting members. The voting members are made up of a representative and an alternate from each of the 11 municipalities and from the County Planning Commission. The non-voting members are representatives of school districts, sewer and water authorities and PennDot. Manor Township has appointed Supervisor Dick Bauder to be their representative and the Supervisors suggested someone from the Planning Commission be the alternate. Mr. Ahlfeld advised the Commission that each municipality would have one vote. The next meeting of the Board is tentatively set for October 2. Pam Shellenberger expressed interest in being appointed as the alternate to the Land Use Advisory Board.

The Planning Commission suggested to the Board of Supervisors that Pam Shellenberger be appointed to the Land Use Advisory Board.

Ms. Glazier stated that she received correspondence regarding a tour of agricultural facilities followed by dinner and passed the correspondence around to the Commission members.

Mr. Ahlfeld advised the Commission of an event that was going to be held on August 20th with Dr. David Brain giving a talk about the Charette Process with a special meeting on August 21 for members of the Land Use Advisory Board that had been cancelled. The event is rescheduled for October 6<sup>th</sup> and 7<sup>th</sup>.

Mr. Ahlfeld advised the Commission that next month's meeting is in conflict with Pennsylvania Planning Association's annual conference that both Mr. Ahlfeld and Ms. Shellenberger would be attending the conference. Please note the date change for next month's meeting. The meeting will held on Tuesday, October 14<sup>th</sup> at 7:30 p.m.

There being no further business the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer



## Manor Township Planning Commission Minutes

Tuesday, October 14, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Tuesday, October 14, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Vice Chairman Scott Haverstick led the Pledge of Allegiance to the Flag and introduced the Planning Commission members.

Member Present: Scott Haverstick, Mark Harman, James Henke, and Donald Witmer  
Members Absent: John Ahlfeld, Mary Glazier, and Pamela Shellenberger  
Visitors Present: Elaine Jones, LNP  
Allen Kreider, 141 Supervisors Rd.  
Lindsay Balestrer, Millersville University  
Jim Huber, 113 Shannon Dr  
Elmer Bauers IV, Millersville University  
Steven Sherman, Millersville University  
Alison Racilla, Millersville University

### **Public Comment**

There were no public comments.

### **Minutes**

Jim Henke made a motion that the September 8<sup>th</sup> meeting minutes be approved as drafted. Don Witmer seconded the motion and the motion carried unanimously.

### **Old Business**

Manor Township Comprehensive & Open Space Plan 2008 Update – Mr. Haverstick pointed out that the plan was available on line and asked for any comments on the plan. John May pointed out that the report suggest that by the year 2030 there will be a deficiency in park space that will probably change with the Norfolk Southern Rail Trail. Mr. May advised them that they just received the appraisal for 207 acres. One Hundred ninety-nine (199) acres are in Manor Township and the other eight (8) acres are in Conestoga Township. The acreage for the rail trail will eliminate the deficiency. The rail trail will be an active recreation area. Mr. May advised the Commission that the appraisal came in at \$435,000 and the land will have to be purchased. The Township has some money committed for that purchase and some return money of a million dollars from Norfolk Southern. Mr. May indicated that it will be known definitively by the end of the month regarding any County contributions. Mr. May stated that they have estimated \$300,000 will be available from the Lancaster County Solid Waste Authority.

Mr. Henke indicated disappointment with the surveys sent out a year ago that only 95 were returned which is not a very good percentage.

Mr. Haverstick indicated reservations regarding a recreation center. Mr. Haverstick stated that he feels much more thought needs to be put into a recreation center

before a commitment is made. Mr. Haverstick pointed out that this is his feelings and not the thoughts from the Board. Mr. Haverstick advised the Commission members that Ms. Shellenberger had made comments regarding the Draft Recreation & Open Space Plan and requested that they be incorporated in the minutes. Ms. Shellenberger's comments are as follows:

- 1) Page 10, Prime Agricultural Soils – This section is titled Prime Agricultural Soils, however, it does not define what soil classes are considered prime. It just stated that most soils in the Township are “well suited for highly productive agricultural uses.” Perhaps, this section should just simply be titled “Soils” since it is primarily dealing with soils that are appropriate for recreational uses.
- 2) Page 10, Cultural/Historic and Archaeological Resources – This states that there are over 30 historically significant sites and 2 archaeological significant sites in the Township and makes reference to map 3C, but no where does it specifically identify the sites. It would be beneficial to either identify the sites in this section or an appendix. Another alternative would be to reference another Township document where a list of the sites is available if applicable. The Plan also states that these sites provide “potential for valuable cultural and educational opportunities,” however, that potential cannot be determined without knowing what the sites are. Perhaps a few examples should be provided.
- 3) Pages 11-13, Manor Township Demographics – For purposes of comparison, it would be beneficial to show 1990 and 2000 Census data on the same chart as was done for the “Employed Persons...” chart on page 14.
- 4) Page 11, Manor Township Demographics – The Population Data chart lists the 2005 population estimate for the Township. The Census Bureau has released the 2007 population estimates for municipalities; thus, it is suggested that this information be updated. (If updated, the 2<sup>nd</sup> sentence in the paragraph above the table and in the 3<sup>rd</sup> paragraph on page 14 should be revised accordingly.)
- 5) Pages 15, Demographic History and Trends – In the 1<sup>st</sup> paragraph, it is suggested that dates be included to add clarity. For example, it states that the previous report showed 74% - To what year does the 74% refer? In the 2<sup>nd</sup> paragraph, it is suggested that addition date be added and that the word “now” not be used. The latest census data being provided is from the 2000 census and it is now 2008.
- 6) Page 16, Public Sewer – It notes that LASA service areas are shown on Map 4D; Sewer Service Areas. This map references Insets 1 and 2; however, no insets are provided or noted in the text. This discrepancy should be corrected.
- 7) Page 18, Linear Parks and Preserves – This section should include a reference to Map 5C. With regard to the Map, it is difficult to differentiate between “potential” and “present” sites; the color codes are very similar. Greater variation in color would add clarity to the map.
- 8) Page 19, Park Land Acreage – The 2<sup>nd</sup> paragraph suggest the Mountville area for the location of another community park. This should be further clarified since Mountville is not in Manor Township.
- 9) A page 19-24, Park Inventory – An inventory of the parks is provided, but no discussion is provided. For the Plan to be more useful, an analysis dealing with the adequacy of the facilities to meet existing and future needs of the Township

should be provided. Also, in the 2<sup>nd</sup> table on page 24, the word “trail” is misspelled in the 3<sup>rd</sup> column.

- 10) Page 27, Field Interviews, Although the Park User Surveys are to be included in Appendix A, it would be beneficial to include a brief overview of the comments received for each Park in this section of the Plan.
- 11) Pages 29-32, Key Person Interviews, A synopsis or overview of the key person interview responses would be beneficial (i.e. were any of the responses from the key persons similar, what were the greatest needs identified).
- 12) Pages 33-35, Recommendations - Only the recommendations for recreation facility make reference to the survey results. They should also be referenced in the other recreation categories as applicable. Also, none of the recommendation categories address the feedback received from the Key Person or Field Interviews. Another observation is that “ongoing maintenance” is not included as a recommendation in any category. Maintenance of park and recreation facilities is very important.
- 13) Page 34, Passive Recreation – The 3<sup>rd</sup> paragraph references map 6C. It appears that the reference should more appropriately be to map 5C.
- 14) Page 36, Active Recreation – It states that “very little is needed in the way of new active recreation,” yet the Park Land Analysis on page 19 indicates of deficit of 62.1 acres of community park land by 2030. Although this section does recommend the addition of one more community parks in an underserved or growing area, the identification of specific areas would be beneficial. Other sections of the Plan refer to the need for a park in the Letort Manor/Perth Hills area and the Mountville Area. Recommendations should be consistent with statements made in other sections of the Plan. Also, if potential park location sites were identified, the Township could use an Official Map as an implementation tool.
- 15) General Comments – The Plan does not appear to meet all the Study Goals outlined on page 7. For example, no policy statements are included and facilities to be improved or modified are not identified.

The Plan does not include an Implementation Plan. The PA DCNR guidelines for Recreation Plan strongly recommend the inclusion of an implementation plan that prioritizes the recommendations, suggests opportunities for funding, and suggests potential partners. This would be beneficial, as it would provide guidance in carrying out the Plan. Also, when municipalities apply for State grant funding, the agencies are now asking whether the proposed project is identified in the municipality’s Comprehensive Plan or other adopted Plan. Thus, it is important to be as specific as possible.

The Plan needs to be carefully proofread to eliminate typographical and grammatical errors. Also, the word “township” should be capitalized throughout the document since it refers to Manor Township.

## **New Business**

Briefing Item – Plan #08-003-A-Lot-Add-On Plan for Millersville BIC Church and Modification Request Section 403.3.A-Existing Contours – Vince Wayne from Buchart-Horn advised the Commission that they reviewed the plan because Rettew

Associates did the plan. Mr. Wayne advised the Commission that the Millersville BIC is combining three lots into one lot. Under the Manor Township SALDO this plan is not called a lot add-on plan but a revised plan because it was a recorded plan. Mr. Wayne advised the Commission that the comments Buchart-Horn generated could be easily corrected. Mr. Wayne reviewed the comments that are listed in the letter and indicated that there are two modification requests that Buchart-Horn recommended be granted since there is no new construction proposed. The modification requests are 1) Waiver to not show existing contours and 2) Waiver not to show existing utility features.

Mr. Henke made a motion that the two waiver requests 1) not show existing contours on the subject tract, 2) not show existing site features and utilities be recommended for approval. Following that, Mr. Henke continued the motion by recommending approval of the revised final plan for the Millersville Brethren In Christ Church subject to satisfying Buchart-Horn's October 9, 2008 review letter and any subsequent letter that possibly would come back from Buchart-Horn when the additional information is provided. Mr. Witmer seconded the motion and the motion carried unanimously.

### **Correspondence**

There was no correspondence.

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

Respectfully submitted

Evelyn Rineer  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, November 10, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, November 10, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Ahlfeld led the Pledge of Allegiance to the Flag and introduced the Planning Commission members.

Members Present: John Ahlfeld, James Henke, Mark Harman, Scott Haverstick, Mary Glazier, Donald Witmer and Pamela Shellenberger  
Visitors Present: Jim Huber, 113 Shannon Dr.  
Nicole Graber, 1044 Kloss Dr.  
Jessica Kurtz, 1803 Hillview Ave.  
Elaine Jones, Lancaster Newspapers  
David Young, 48 E. Main St., Strasburg

### **Public Comment**

There were no public comments.

### **Minutes**

Mr. Haverstick made a motion to approve the minutes of the October 14<sup>th</sup> meeting as written. Ms. Shellenberger indicated that in the first sentence on Page 3, the word “work” should be “word”. Mr. Henke seconded the motion with the correction indicated. The motion passed with Mary Glazier abstaining.

### **Agenda Items**

Mr. Ahlfeld referred to the agenda stating that the item regarding the Millersville Brethren In Christ Church is not something that requires action by the Planning Commission. The staff deals with this item and if there were any questions, Mr. Ott would be able to answer them. Mr. Ahlfeld suggested that if the Commission were willing, they would spend the evening with the presentation and discussion of TDR's and leave further discussion on the Recreation and Open Space Plan until the December meeting. Mr. Haverstick commented that he was not sure if a lot of time was needed to discuss the plan. Mr. Haverstick advised Mr. Ahlfeld that there was some discussion at last month's meeting on the plan and he is not sure what could be brought to the table concerning a recommendation. Mr. Haverstick questioned if the Supervisors are expecting a recommendation and Mr. Ahlfeld advised him that he was not aware that the Supervisors needed a recommendation from this Commission. Ms. Glazier stated that she has skimmed the report and as she read through it there was several things she was puzzled with in the report. Ms. Glazier hoped to have some comments to present and would be happy to wait until the December meeting for the discussion.

Mr. Ahlfeld introduced John Theilacker from the Brandywine Conservancy who has been working with the County for two or three years with a committee in preparing a

TDR Handbook for use by local municipalities. Mr. Ahlfeld stated that Mr. Theilacker was going to give a presentation after which there would be discussion. Jess Swinehart from the Lancaster Farmland Trust, Kathie Gonick with the Lancaster County Conservancy, and Danny Whittle from LCPC were also present.

Mr. Theilacker stated that the Lancaster County Planning Commission and Warwick Township put together a handbook on the use of the Transferable Development Rights Tool (TDR) in Lancaster County by hiring the Conservancy. The unique aspect of the project was that they had several successful case studies of TDR's that were being used in Lancaster County communities. They were able to take the expertise that those several municipalities developed as part of putting together their individual program, combine it with the expertise of the Conservancy with regard to this planning tool, use the expertise of the LCPC as well as the Lancaster Inter-Municipal Committee and put together a very helpful basic instruction document on how to use TDR for single and multi-municipal application. Mr. Theilacker indicated that they spoke with the Manor Township Supervisors in August about the TDR tool and the possibility of applying it in the Township. At the time, the Board seemed interested in TDR's. Manor Township has thirty farmers that have applied for the purchase of an agriculture easement on their properties by the Lancaster County Farmland Preservation Board. At least two of the municipalities who have TDR programs in Lancaster County, have actually used TDR to improve the chances of those farmers qualifying for the County funding. Mr. Theilacker reviewed the TDR program in Warwick Township, where the Township transferred the development rights to the Campus Industrial Use zone in the form of higher lot coverage. For every TDR, the developer received an additional 4,000 square feet in lot coverage over what the zoning district allowed. He also showed maps from West Hempfield Township showing the sending and receiving areas.

A standard definition for TDR is that the landowners in a sending area, defined as an area of high resource value, may legally sever and sell their development rights to landowners or developers in a receiving area. The receiving area is typically an area that has been planned, through the Township Comprehensive Plan or as part of the LIMC Growing Together Plan, as an area appropriate for development. Land from which the development rights are sold is permanently protected and the land where the development rights are applied is enhanced in financial value. Examples of possible TDR rights can be to develop at a higher density or greater lot coverage than the current zoning ordinance will allow. That is the incentive to get the developer interested in participating in the TDR transaction.

Mr. Theilacker's presentation covered these topics: Why Use TDR's, What does TDR's protect, Providing Option to "Selling Out", PA Municipal Planning Code Authorizes the use of TDR's, Transfer Development Rights in PA, Basic TDR Steps, Basic TDR Step Variation on Theme Land Trusts or Municipal Involvement, Sending and Receiving Areas, and the End Result. The presentation also covered a Basic TDR Ordinance and Administrative Set-Up, Transferring TDR's Across Municipal Boundaries, Enhancement for TDR Success and TDR Information and Market Plan. There was discussion after the presentation regarding the benefits, success, and implementation of TDR's. Mr. Theilacker stated that the TDR planning tool could help support and save farmland and prevent urban sprawl. Possible uses of the planning tool in Manor Township could be for nursing, rest, or retirement homes by allowing for greater density

and higher lot coverage or by allowing transferring development rights from the Township to an adjoining municipality that is willing to accept development.

Danny Whittle pointed out that this is the time to work on setting up TDR's so that the Township is prepared when the building industry picks up.

After discussion, the Commission felt TDR is something that is worth considering. Mr. Haverstick made a motion to recommend that the Board of Supervisors consider and in conjunction with this Board develop a TDR Plan for Manor Township. Ms. Shellenberger seconded the motion and the motion carried unanimously.

**Other Business**

Correspondence – Ms. Glazier advised the Commission that she had correspondence from the LCPC regarding the Millersville BIC Church. Since there was no action needed from the Commission, she did not feel it was necessary to read the correspondence.

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

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, December 8, 2008

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, December 8, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Ahlfeld led the Pledge of Allegiance to the Flag and introduced the Planning Commission members.

Members Present: John Ahlfeld, James Henke, Mark Harman, Scott Haverstick,  
Mary Glazier, Donald Witmer and Pamela Shellenberger  
Visitors Present: Jim Huber, 113 Shannon Drive  
John May, 100 Red Fox Road  
Scott Wails, LCPC

### **Public Comment**

There was no public comment.

### **Minutes**

Mr. Henke made a motion to approve the November 10, 2008 minutes as drafted. Ms. Shellenberger seconded the motion and the motion carried unanimously.

### **Old Business**

Manor Township Comprehensive Recreation & Open Space Plan 2008 Update – Mr. Ahlfeld advised the plan has been talked about briefly at several meetings in the past. The plan is on the Township web site as well as copies at the Township Office to look at. Ms. Shellenberger gave comments at the last meeting and Mr. Ahlfeld advised the Commission that he had received comments from Christine Brubaker on the plan. Copies of Ms. Brubaker's comments were given to the Commission members.

John May informed the Commission that he wanted to bring them up to date on the rail trails. Mr. May stated that the draft plan indicates a future deficit of parkland. A survey received for the rail trail amounts to 408 acres from Norfolk Southern. Mr. May received a call from Craig Lewis, Vice President of Norfolk Southern in Philadelphia, who indicated that the Township has done everything they had to do and it is now up to Norfolk Southern regarding the land purchase. Mr. May advised the Commission that he and several other Supervisors were going to the County Commissioner's Work Session at which time the County is going to commit a million dollars from the Growing Greener Funds they hold to the rail trail in Manor Township. Mr. May advised them that the 408 acres being picked up might change the study in the plan. Mr. Ahlfeld asked if most of the acreage is a narrow strip along the trail. Mr. May advised him that there are areas that extend inland. Mr. May stated that approximately 308 acres of the 408 are mostly the strip with some extensions toward River Road in several areas. Mr. May stated that the chutes are surveyed and there will be easements reserved for Norfolk Southern maintenance that is needed to maintain their lower railroad line. Mr. May advised the Commission that they are hoping to build the trail in 2009. They will be using Township

personnel to a certain extent when building the trail but will also need to have engineering done for the bridge and safety structures. Mr. May advised the Commission that the Township will have one million dollars from both the County and Norfolk Southern and they believe that DCNR is going to match the County's one million dollars. Mr. Haverstick asked if thought has been given to parking and Mr. May stated they have not come up with a solution but something will be done. Mr. Ahlfeld questioned if the Conservancy would have any involvement. Mr. May stated that he had wanted the Conservancy to own the trail and they are looking favorably upon owning the trail. To receive the grant from DCNR, the Township must own the property. The Township will take title to the land and when the trail is done will probably convey it to the conservancy. This fits in with the Conservancy PP&L lands and the things they are doing there and the conservancy is interested in the trail. Mr. Ahlfeld stated that regarding the Open Space Plan, it should be updated at the last possible date to reflect where things stand. Ms. Glazier pointed out that the deficit referred to in the plan is regarding community parks and the rail trail may not be counted as acreage toward community parks. Mr. Haverstick stated that he sees this as an addition to any other requirements that may be needed because this is more than a community park. Mr. Haverstick stated that he sees this trail as a County and possibly a regional asset. Ms. Glazier asked who would be addressing the question of what uses will be permitted on the trail. Mr. May stated that he feels it will be the Park & Recreation Commission, Planning Commission and the Township Supervisors. Ms. Glazier stated that one of the Township Supervisors commented that he does not think horseback riding should be allowed; anybody who rides horses would be dissatisfied if horses are not allowed. Mr. May advised her that they will have to work that out. Ms. Glazier described the design of the Lebanon Valley trail and how it accommodates all users including horseback riders.

Ms. Glazier talked about bike riding as a major recreational activity and in reading the Open Space Plan, you would not know to what extent bike riding is a recreational sport in the Township. Ms. Glazier wrote her comments on the draft plan she took off the online version, so she did not have the maps or appendixes, which made it difficult to make sense of some of the plan without them. Ms. Glazier agrees with Ms. Shellenberger that the appendixes should be discussed in much more detail in the plan. Ms. Glazier stated that she feels that the plan needs a lot more work. Ms. Shellenberger stated that she does not feel that the plan is a very useable document. The following are Ms. Glazier's notations made on the draft document plan:

- Page 7 - Planning Goals – Does the report set planning goals?
- Page 7- Facilities Goals – Identify areas where existing facilities can be utilized, improved, or modified in order to meet existing & future needs; this was not discussed.
- Page 7 - Program Goals – Are any of these program goals done?
- Page 9 - Topography & Steep Slopes – 2<sup>nd</sup> paragraph (See Map 3A) – Where is the map?
- Page 11 - Demographics – How does this relate to the recommendations?
- Page 11 - 1990 Census Data – The Age Group of 5-17. Is this a typo? The 2000 Census Data used the Age Group 5-14.
- Page 13 - Demographic History & Trends – Paragraph should be on next page.
- Page 14 - Paragraphs 3, 4, & 5 should be in the beginning of this section and then followed by paragraph beginning with the words “Economically, Manor Township...”

- Page 15 – 1<sup>st</sup> Paragraph, second line – Previous report showed 74% of the dwelling units in the Township were owner occupied. Is this referring to the 1990 Comprehensive & Recreation Plan?
- Page 15 – 2<sup>nd</sup> Paragraph, 4<sup>th</sup> line – “The final socio-economic factor is that minorities now account for 4.6% of the population”. Ms Glazier asked the question, where? “
- Page 16 - Future Land Use Paragraph 2 – Ms. Glazier questioned that the Township’s recreational needs are a function of the population and the density; how do you know that there will be adequate land for recreational needs of future residents. The SALDO requires that new residential developments provide recreation land at a rate of 0.39 acres per unit. Is there a standard number that we should be using?
- Page 18 – 2<sup>nd</sup> paragraph – The draft states the recreation facilities of Millersville University. Ms. Glazier asked what limitations exist to the usage of the Millersville University facilities.
- Page 18 - Last paragraph – “Additional possibilities for future development exist. A few areas to consider are: The Conestoga River.... and Fry’s Run”. Ms Glazier questioned how available is private land along the runs.
- Page 19 – 2<sup>nd</sup> paragraph – “With growth ....the Mountville area”. This is not Manor Township
- Page 21 – Chart - Boys & Girls Club Greenway & Park – Who has access to this? Is it really a park and what activities does it provide?
- Page 24 – Passive Recreation - Locations & more specific descriptions of the facilities would be helpful.
- Page 27 – Under Field Interviews – Ms. Glazier had questions on paragraph #2 regarding “random times”. How many times and how many days? Paragraph # 3 mentions that there were no park users present on the 8 trips to the park to interview. Creswell Park is used for baseball and soccer. In Greider Park, 10 people were interviewed. What were the questions asked? The draft stated that 10 people were interviewed at Greider Park, Herr Park and Manor Municipal Park. Was the goal to interview 10 people at each park?
- Page 28 – At Washington Boro Park, how many people were interviewed? Ms. Glazier stated that she felt that it would have been helpful to describe the survey methods used fully.
- Page 28 – Resident Questionnaire – Ms. Glazier asked how many questionnaires were mailed. She stated that she felt that it was a very small number of people who completed and returned the questionnaires.
- Page 29 – Key Person Interviews – We need more narrative to understand the comments.
- Page 30 – Manor Township Recreation Superintendant – Ms. Glazier questioned why participation is declining at the summer recreation program.
- Page 34- Passive Recreation – Ms. Glazier indicated that horseback riding is not mentioned despite its popularity in the western area of the Township and growth in popularity. She also questioned if this section on passive recreation is supported by the survey results.
- Page 35- Passive Recreation - All of this section seems unrelated to surveys and other data collected.

-Page 36- Active Recreation – Line # 4 & 5 - “The only real expansion of active recreation should be the addition of one or more community parks in an area that is either growing in numbers of residents, or is currently not being adequately served by any of the current parks in Manor Township”. Ms Glazier asked the question, where?

Mr. Haverstick questioned the function of the plan. He stated that he does not feel that there is any real function to the plan other than a basic guideline. Ms. Shellenberger stated that you are required to have the plan to collect fees but it is suppose to give guidance if you are collecting those fees where are you going to spend them. She stated that she does not feel that this plan gives guidance and there is no implementation listed in this plan. Ms. Glazier stated that when you read the conclusions, it is not clear where they came from. Ms. Glazier stated that she felt that the survey results were a very small number when compared to the population of the Township. She stated that she feels that there should be a greater effort made to get a better response to a survey and it would be good to get youth input. Ms. Glazier pointed out a lack of recreation for youth over the age of 12. Ms. Glazier’s notations on the draft plan will be given to Mr. Smith. Ms. Glazier questioned if anyone would revise the plan in light of what the Commission has pointed out. Ms. Shellenberger advised the Commission that the County’s Green Infrastructure is out for review and feels the County should look at the plan. Ms. Glazier questioned the inclusion of private properties and Ms. Shellenberger stated that they are noted even though you cannot control them. Ms. Glazier noted that the Boys and Girls Club is private property and is listed under the Greenway section; she suggested that someone contact them about the possibility of having public access to that land.

Mr. Ahlfeld had questions regarding Pam Shellenberger’s comment #7 and if it referenced Map 5C. Comment #8 references to park near Mountville – Mr. Ahlfeld said he received information to put in the Connections Newsletter that said that the Township has a new park in the Eagle Heights Development. Mr. Ahlfeld questioned if the reference to having another park near Mountville in the draft maybe is obsolete. Mr. Ott advised them that there is open space land provided there as part of the development but he stated that he did not know if anything has been done to develop it. Mr. Harman advised the Commission that there is a macadam walking trail there. Mr. Ahlfeld stated that he has requested several times that there be a joint meeting between the Planning Commission and the Park and Recreation Board and he was told that could not occur because there were not enough funds in the scope of work for a joint meeting assuming the consultants would be there. Mr. Ahlfeld questioned if there was a reason someone did not want the two Boards to get together. Mr. May advised him that he would look into the reason there was never a joint meeting. Mr. Ahlfeld stated that much of the discussion they are having would not be needed if there had been communication during the process. Mr. May stated that he feels it would not hurt to have a joint meeting if it can be set up. Ms. Shellenberger advised them that DCNR provides an excellent guidance on how to do a plan of this type and whether you have a grant or not, it is a good resource for what should be included in the plan.

Scott Wails stated that one of the reasons you would want to have a document like this, besides the issue of fees, is that if you apply for a grant to DCNR, they are going to ask you if you have a plan and whether your request is consistent with the plan. Having a plan such as this helps DCNR to understand what your priorities are and your implementation schedule is. The Township has good points as they already did joint

planning together and something like this plan would help as well. The other thing a plan like this does is as development does occur in different locations, this plan can help you identify where you might want to ask for land as opposed to fees. If you are actually trying to implement a linear greenway or community park, you may actually say normally we would like to receive fees because we have priorities, but in this case this development is located in such a location, you would prefer land in this situation. It helps the development community understand what your needs might be. Mike Domin who is the LCPC's Greenways plan person and has done the infrastructure plan would be happy to review this plan if you desire to send it to the County to do a review. Mr. Wails stated that briefly looking at the plan he saw Mr. Domin was interviewed and there were some comments from him in the plan. The plan should cover the issues of phasing and implementation for DCNR grant opportunities, the issue of land as opposed to fees when development occurs, and the issue of having County Staff help to look at the plan.

Ms. Glazier stated that when the Solid Waste Authority goes forward with the expansion overtop the Creswell Landfill, Creswell Park will probably cease to exist but then there would be other open space created. That is something that is known and being talked about and will happen within ten years; it should be included in the plan.

Mr. Haverstick asked what the duties are of the Park & Recreation Board. He stated that he assumed that they are not as much planning as implementation of programs Board and was surprised that the Park & Recreation Board was charged with this plan and totally independent of the Planning Commission. Mr. May advised Mr. Haverstick that the Park & Recreation Board is in charge of existing programs and projects; however, they have been advocating a community center. They do have something to say about planning and they have a wish list they periodically give to the Supervisors. There was discussion on the success of recreation centers. Ms. Glazier pointed out the lack of programs for youth and Mr. Haverstick indicated that his concern is with the physical structure. Mr. Haverstick stated that they do have school facilities that could be implemented as opposed to the Township being involved.

Ms. Glazier questioned who wrote the Park & Recreation Plan in 1990. Mr. Ott stated he did not know who wrote it. Ms. Glazier questioned if it was done under the office of the Park & Recreation Board.

Mr. May asked if a specific recommendation would be made to the Supervisors. Mr. Ahlfeld stated that he thought that any comments made now would be to the Park & Recreation Board and one thing could be done is simply convey Ms. Shellenberger's comments, Christine Brubaker's comments and minutes of tonight's meeting and recommend that they seriously consider all the comments. It could be included that the Planning Commission would be happy to meet with them to discuss the comments. Ms. Glazier questioned if there is enough implementation information for this plan to be useful in particular to being able to apply for grants and make intelligent decisions when talking with developers about what the Township would like them to do. She also stated that she thinks that the plan needs to include what is known that will happen in the next couple of years. Mr. Haverstick stated that he feels it would be constructive to have contact with the Park & Recreation Board on a regular basis so that they can touch base with each other. Mr. May stated that he would encourage a joint meeting with the Planning Commission and Park and Recreation Board. Mr. May suggested that the Park & Recreation Board come to the Planning Commission meeting.

Ms. Glazier made a motion that someone send the comments submitted and reflected in the minutes to the Park and Recreation Board and invite them to join the Planning Commission for a joint meeting in the near future. Mr. Haverstick seconded the motion and the motion carried unanimously.

**Other Business**

Correspondence – Ms. Glazier advised the Commission that she had received correspondence regarding the County’s meeting dates for the year 2009 but neglected to bring it with her.

Mr. Haverstick asked again that the Supervisors continue to be diligent with the County regarding the bridge on South Creek Road that it is not forgotten. He stated that he feels it is hard to do planning if infrastructure is allowed to disappear. Mr. May advised him that the Supervisors are unfortunately divided over the issue. Mr. May stated that he feels that they should attend the Commissioner’s meeting in that regard. Mr. Haverstick stated that he would be happy to attend the Commissioner’s meeting. Mr. Haverstick stated that it is a problem having the bridge out for the people who live there and it does not matter if it affects 5 people or 500 people; it is not right. It serves a function and those residents are being denied that function.

Mr. Wails announced that the LCPC is moving on Wednesday and the offices would be open on Friday for business.

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

Respectfully submitted,

Mary Glazier  
Secretary

Recording Secretary  
Evelyn Rineer.

## Zoning Hearing Board Minutes

Thursday, January 10, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Thursday, January 10, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Doulgas

Township Officials Present: Bruce R. Ott and James R. McManus

Visitors Present: John May, 100 Red Fox Rd

Joe Giordano, 152 Stonewyck Dr

Brian & Tina Liddick, 148 Stonewyck Dr

### Minutes

Mr. Granger stated the draft minutes from the December 5, 2007 meeting have been received and posted. There were no additions or corrections and the minutes stand approved as submitted.

### Re-organization Meeting

Mr. Granger announced that Walter Schlemmer was re-appointed for a three-year term by the Board of Supervisors.

Election of Officers –

Chairperson – Mr. Schlemmer nominated Allan Granger for the position of Chairperson. Ms. Douglas seconded the nomination and it passed unanimously.

Vice Chairperson – Ms. Douglas nominated Walter Schlemmer for the position of Vice Chairperson. Mr. Granger seconded the nomination and it passed unanimously.

Secretary – Mr. Schlemmer nominated Barbara Douglas for the position of Secretary. Mr. Granger seconded the nomination and it passed unanimously.

Set Meeting Dates – The Board elected to continue meeting the first Wednesday of each month as needed unless otherwise advertised.

Selection of Solicitor for the Zoning Hearing Board for 2008 – Ms. Douglas recommended James R. McManus as Solicitor for the year 2008. Mr. Schlemmer seconded the recommendation and it passed unanimously.

### New Business

Case #1-08 – The application of Tina Liddick, property located at 148 Stonewyck Drive, Lancaster, PA 17603, for a special exception of Sec. 203.3.2 in accordance with Sec. 433 – Home Occupation. The applicant wishes to operate a beauty salon on the property. The property is located in the Low Density Residential (RL) Zoning District.

Mr. Granger turned the meeting over to Mr. McManus. Mr. McManus asked if there was anyone in attendance interested in the application. Joe Giordano from 152 Stonewyck Drive stated that he was present in support of the application.

Mr. McManus stated the application is in the name of Tina Liddick and stated he assumed the owners of the property are Brian and Tina Liddick. Mr. McManus asked if Brian was present and joined in the application. Mr. Liddick stated that he was also owner of the property and joined in the application. Mr. McManus requested that Bruce Ott and Brian and Tina Liddick be placed under oath. Mr. McManus asked that the exhibits be number consecutively. The application with the attached written report was

marked Exhibit #1; the elevation drawing was marked Exhibit #1A; the site plan of the property was marked Exhibit #1B; the first floor plan showing the proposed use was marked Exhibit #1C; the second floor plan was marked Exhibit #1D; and the Certificate was marked Exhibit #2. Bruce Ott stated that he is the Zoning Officer for Manor Township and in that capacity received applications that come before the Board. Mr. Ott stated that he received the application of Tina Liddick #01-08. Mr. Ott stated that he posted the property with notice of the time, date, and subject matter of this hearing on December 14, 2007. A copy of that notice was marked Exhibit #3. Mr. Ott stated that he requested the notice to be published in the Lancaster Newspaper notice of the date, time, place and subject matter of this hearing on December 27, 2007 and January 3, 2008. Proof of publication was marked Exhibit #4. Notice of the date, time, place and subject matter was posted in the lobby of the Township Office on December 14, 2007. The notice posted is the noticed marked as Exhibit #3.

Tina Liddick presented her application stating that she wanted to put an in home beauty salon that will be used as a part time business. She has been doing hair for ten years. She has two small children and three years ago she went through a zoning hearing for a salon where they had lived. They have purchased a new home, therefore, must again apply for the in home beauty salon. The home's primary use is for a residence and they have two rooms they are using for the proposed salon. They will be putting an entrance on the side for the beauty salon as well as a sidewalk to that entrance. They have two parking spaces in their garage for the residents and the driveway way is 48' x 18' and allowing for two to four vehicles in their driveway depending if they park parallel or non-parallel. She is looking to operate Monday through Saturday 8:00 a.m. to 8:00 p.m. She will be the only employee. Her general hours are two days and every other Saturday. She has only one client at a time. There will be a bathroom designated for the beauty salon and will meet the requirements for handicap accessibility. There is currently a bathroom that will have renovations made in it. The proposed salon will not change the outside of the residence from looking like a single-family dwelling. At her other location they had a small sign on the mailbox and a small sign above the side door that is what they are proposing for this salon. There will be no lighting aside from the motion light for the entrance at the doorway.

Mr. Schlemmer asked if any goods will be displayed or sold on the premises and Ms. Liddick stated no.

Ms. Douglas verified that that the two rooms proposed for the beauty salon already exist and Ms. Liddick stated that was correct. Ms. Liddick pointed out on the drawing the two rooms proposed for the salon. Ms. Liddick stated an entrance door and sidewalk would be the only change on the outside of the residence. On the inside, the room is divided into two separate rooms so they will be taking down one-half of a wall so it will still be 22' x 10'. The room is directly behind the garage and attached to the house.

Mr. Schlemmer questioned how far the house is from the property line. The applicants did not know the exact distance but estimated it to be approximately 17'.

Mr. Granger went over the Home Occupation Requirements of Section 443 verifying all the questions were answered. Mr. Granger verified the Home Occupation was 12.4% of the residence.

Mr. McManus asked if the applicant had public water and sewer. Ms. Liddick advised they had public sewer but well water. Mr. McManus asked if 2,506 sq. ft. was the correct square footage of the house. After reviewing the calculations, the applicant explained how they arrived at the 2,506 sq. ft. figure. The garage was not included in the

square footage of the residence. Mr. McManus asked if 310 feet of the 2,506 square foot floor of the house is proposed to be the home occupation and Mr. Liddick stated that was correct. Mr. McManus asked if it is correct the lot measures 22,779 square feet and Mr. Liddick stated yes. Mr. Liddick advised the Board that the footprint of the house including the driveway and proposed sidewalk is 3,526 square feet. Mr. Liddick advised the Board that would be increased because the sidewalk must be four feet wide instead of three feet wide but they are still under the lot coverage required in the Ordinance. Mr. McManus asked if the sidewalk being installed is the one shown on Exhibit 1B and Mr. Liddick stated yes. Mr. McManus asked if the only access to the salon area would be by the door to the rear of the building Mr. Liddick stated that he is installing a door. Mr. Liddick stated yes but there would be a doorway between the powder room and the kitchenette (shown on Exhibit #1C) so Ms. Liddick can enter the salon without going outside the house. Mr. McManus stated that the powder room would be accessible from the first floor elevation as well as the salon and Mr. Liddick stated yes. Mr. Schlemmer pointed out that there is also a door to the porch. Mr. McManus stated that there are three entrances to the powder room and Mr. Liddick stated yes. Mr. McManus asked whether the powder room is then solely for the salon usage. Mr. Liddick stated that they do not use it that much and can make it solely for the salon if that is what is required. Mr. McManus questioned what the State Requirements would be for the powder room. Ms. Liddick stated it is required to be part of the square footage. Mr. McManus pointed out that there is three ways to enter the powder room and asked that Ms. Liddick indicate who would have access to the powder room and how it relates to the home occupation use. Ms. Liddick stated that she would be the only one coming through the house into powder room to access the shop. Her clients will have access to the powder room from the salon. Mr. McManus asked if Ms. Liddick was telling the Board that household members or guests would never use the powder room. Ms. Liddick stated if it is off hours and her children need to use the bathroom downstairs they would use that bathroom. During salon working hours, the children are kept out of the shop. Ms. Liddick advised the Board that there are two full bathrooms in the house in addition to the half bath that is proposed to be used with the salon. Mr. McManus asked Ms. Liddick if she was telling the Board that during business hours there will be no other access to this powder room other than the one shown through the proposed salon area and Ms. Liddick stated that is correct. Mr. McManus asked if Ms. Liddick could accept that as a condition of approval and she stated she could accept that condition.

Mr. McManus verified that the applicant would be installing a four-foot wide sidewalk to the rear entrance and Mr. Liddick stated that was correct. Mr. McManus asked if that would be a concrete walkway and Mr. Liddick stated yes.

Mr. McManus asked if there would be exterior lighting. Ms. Liddick advised the Board that the only lighting would be the light above the door that is at the entrance into the salon. She indicated that they have a motion sensor light in the front for the garage and have lanterns placed on their home in the front. Mr. McManus asked how the walkway would be lighted. Ms. Liddick stated that there is a motion sensor light directly by the garage door that lights up a large area. Mr. McManus had numerous questions regarding the lighting. Mr. Liddick stated that they would put in the type of lighting required to safely illuminate a sidewalk. Mr. Liddick stated that they would put an exterior light by the garage door and proposed salon door with approximately 60 watts per lantern; that should safely illuminate the sidewalk. Mr. Liddick pointed out the existing motion lights on the drawings.

Mr. McManus asked if the garage was two bays and Mr. Liddick stated that was correct. Mr. McManus stated that there is no separate area proposed for parking except the driveway and Ms. Liddick stated that was correct. Mr. Liddick stated that they have their two spaces in the garage and there could be up to four spaces in the driveway. Mr. McManus stated that would envision any vehicles in the garage not being able to be moved unless the vehicles behind would also be moved. Ms. Liddick stated that is correct but Mr. Liddick would be keeping the children and would not be going anywhere. Mr. McManus asked about in the case of an emergency and Ms. Liddick stated in that situation her client would back up and leave Mr. Liddick out and then move their vehicle back into the driveway. Mr. McManus stated it is conceivable that there would be two cars in the garage, one of the patrons would be parking behind one of the bay doors and then another patron who is early for their appointment would park behind the other garage door. Ms. Liddick stated that is potentially correct. Mr. McManus asked if there would be a potential for any additional vehicles besides the four he had just described and Ms. Liddick stated no. Mr. McManus referred to Exhibit #1B questioning the Liddick's on their measurements shown on the plan. Mr. McManus asked Mr. Liddick if the Board considered their parking scheme inadequate, is there room in the front yard for an off set for client parking. Mr. Liddick stated that there is a pole light, landscaping and a small sidewalk in that area. He stated that it would be possible to make additional parking but that he feels it would take away from the residential character. Mr. McManus asked if there is parking permitted on the street and Mr. Liddick stated yes. Mr. McManus asked if there is space for on street parking for at least one vehicle and Mr. Liddick stated probably closer to two vehicles.

Mr. McManus asked if it is their testimony that not more than two clients would be on the premise at any one time and Ms. Liddick stated that is correct. Mr. McManus verified that it would be a one chair salon, Ms. Liddick would be the sole operator and Ms. Liddick would reside at all times in this dwelling. Mr. McManus asked if there were any out buildings or accessory buildings that would contain any part of the business use and Ms. Liddick stated no. The Liddick's stated that they wished to close their testimony.

Ms. Douglas made a motion that the testimony be closed and they would make a decision at their next meeting on Wednesday, February 6<sup>th</sup> at 7:00 p.m., in this meeting room. Mr. Schlemmer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 7:50 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, February 6, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, February 6, 2008 at 7:08 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: John S. May, 100 Red Fox Rd., Millersville  
Brian Liddick, 148 Stonewyck Dr, Lancaster  
Eric Nelson, 102 Horshoe Loop, Mountville

### Minutes

Mr. Granger stated the draft minutes from the January 10, 2008 meeting have been received and posted in the Township Office. There were no additions or corrections and the minutes stand approved as the official minutes.

### Old Business

Case #1-08 – The application of Tina Liddick, property located at 148 Stonewyck Drive, Lancaster, PA 17603, for a special exception of Sec. 203.3.2 in accordance with Sec. 433 – Home Occupation. The applicant wishes to operate a beauty salon on the property. The property is located in the Low Density Residential (RL) Zoning District. A decision will be rendered.

Mr. Granger advised the testimony was concluded at the end of the January meeting and the Board took the testimony under advisement. Mr. McManus contacted each member individually, asked for their comments and from that he has drafted a decision that the Board would discuss at this time. Mr. Granger stated he had not had a chance to read the revised draft completely and ask what changes were made from the one that was forwarded to the Board Members. Mr. McManus advised on the third page first line there was a misspelling of “Liddick” that has been changed to correct the spelling of Liddick and there was a word after Tina Liddick’s name “residing” that was deleted which was a typographical error. Mr. McManus advised that in all other respects, it is the same draft that was given to the Board. Mr. Granger indicated he had concerns regarding lighting of the walkway on the side of the building but the conditions of the decision required adequate lighting and that took care of his concern.

Ms. Douglas made a motion that the application of Brian Liddick and Tina Liddick for a special exception to operate a beauty salon as a home occupation within a portion of their residence at 148 Stonewyck Dr., Lancaster, Pennsylvania 17603, Parcel Account No. 410-46908-0-0000, pursuant to the provisions of Sections 203.3.2; 433 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions which the Board deems the minimum necessary to adequately protect adjoining properties and preserve the character of the neighborhood within which

the Property is located: 1) Applicants shall adhere to the facts and dimensional criteria contained in their application, Exhibits, site plan and floor plans, as well as all testimony presented by the Applicants at the hearing held on January 10, 2008. 2) Not more than one resident of the dwelling may be engaged in the proposed business. 3) No person other than the Applicant/resident shall be employed or otherwise engaged, with or without remuneration, in the proposed business. 4) The area of the proposed business, including the intended lavatory, shall not exceed 310 square feet. 5) Applicants shall provide for four (4) off-street parking spaces on the Property which spaces shall comply with the dimensional requirements of the Zoning Ordinance and Applicants' Exhibit No. 1B. 6) Sufficient lighting shall be provided from the client parking area to the proposed side entrance of the dwelling such that clients shall be able safely access the proposed business. 7) No exterior lighting shall produce glare perceptible by any adjoining residence. 8) Applicants shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed business. 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. Schlemmer seconded the motion and the motion carried unanimously.

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, March 5, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, March 5, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Leslie & Stephen Osborne, 109 Oak Rd.  
Sarah Yocum, Law Firm Barley Snyder  
John May, 100 Red Fox Rd  
Victor Ressler, 103 Oak Rd

Mr. Granger indicated that the Board has lost a friend in Jack Kenneff who served the Township as an Attorney. He had appeared before the Board many times with very good standards. Mr. Granger asked for a moment of silence in Jack Kenneff's memory.

### Minutes

Mr. Granger stated the draft minutes from the February 6, 2008 meeting have been received and posted in the Township Office for the public to view as well as on the Township website. There were no additions or corrections and the minutes stand approved as the official minutes.

### New Business

Case #2-08 - The application of Stephen L. & Leslie J. Osborne, property located at 109 Oak Road, Conestoga, PA 17516 for a special exception of Section 202.3.1 – Animal Hospitals & Veterinary Offices and Kennels in accordance with Section 405 of the Zoning Ordinance. Also, the applicant is requesting a variance of Section 405.2 requiring that veterinary clinics shall be located on a tract which shall front on and gain access from either an arterial, major collector, or minor collector road as identified in the Zoning Ordinance. The applicant wishes to operate a veterinary office on the property. The property is zoned Rural (R) Zoning District.

Mr. Granger turned the meeting over to Mr. McManus. Mr. McManus verified the applicants were present along with their Attorney, Sarah Yocum. Vic Ressler, 103 Oak Road, a neighbor to the Osbornes was present in support of the application.

Mr. Ott was sworn in and stated he is employed as the Zoning Officer for Manor Township and in that capacity receives applications for special exceptions and variances that are submitted for the Board's consideration. Mr. Ott received the application for the subject of the hearing indexed at 2-08 application of Stephen L. Osborne & Leslie J. Osborne a two part application seeking both special exceptions and variances. Mr. Ott published in the Lancaster Newspapers a notice of the time, place, date, and subject matter of this hearing on February 20 and 27, 2008. Mr. Ott provided the proof of publication of the notice. The tract was posted with the time, date, place and subject matter on February 15, 2008. Notice of the time, date, place and subject matter was

posted in the lobby of the Township Building on February 15, 2008. The application consist of two parts with an application for special exception and a variance, an attachment and a list of adjoining property owners that will be collectively marked as Exhibit #1. Mr. McManus indicated the drawings will be marked as the applicant wishes but will not be marked as part of the base application form. The proof of publication was marked Exhibit #2. The applicants, Ms. Yocum and Mr. Ressler were sworn in by the Court Reporter. Mr. McManus stated as a point of clarification the principal application is for a special exception with respect to the specific provisions of Section 405 of the Zoning Ordinance that regulates veterinary clinics, animal hospitals and the like. Mr. McManus asked if the variance is to one of the elements of that section and Ms. Yocum stated that was correct.

Sarah Yocum, an attorney at Barley & Snyder, was present on behalf of the applicants. Ms. Yocum stated the subject property is located at 109 Oak Road and is approximately 10.7 acres. Ms. Yocum marked the site plan Exhibit #3 and the floor plan/elevation plan was marked Exhibit #4. Stephen and Leslie Osborne own the property, which they purchased in 1996 from Noreen Graver. The property is located in the Rural Zoning District. Currently located on the property is the Osborne's personal residence and Harborwoods Boarding Kennel. There is a garage located on the property that the Osborne's propose to convert into a veterinary office. There is also a barn located on the property that is attached to and part of the kennel. When the Osbornes purchased the property in 1996, Stephen Osborne took over the existing Harborwoods Boarding Kennel business from Ms. Graver and continues to operate the kennel today. They met with Mr. Ott to discuss the use of the kennel and he confirmed that the kennel is a valid non-conforming use. Prior to the 1990 version of the Township's Zoning Ordinance kennels were permitted by right in this zone. The kennel was established in approximately 1987. Similarly the access drive serving the kennel was established at the same time of the kennel and conforms to the access drive requirements of the Zoning Ordinance in effect prior to 1990; therefore, the access drive is also non-conforming. As confirmed by Mr. Ott, the kennel and access drive are non-conformities that do not require any zoning relief. The property is located along Oak Road, which is a local road as identified by the Township. The property is primarily surrounded by other residential properties. To the southwest and west of the property is land owned by PP&L used for power lines and property to the northeast is commercial property used as apartments. The Osbornes wish to establish and operate a small veterinary office on the property that Dr. Osborne will run. A special exception pursuant to Sections 202.3.1 and 405 of the Zoning Ordinance is needed to permit a veterinary office to be located on the property. A variance from Section 405.2 is requested to allow the veterinary office to be located on this property which fronts on and gains access from Oak Road. Oak Road is a local road instead of an arterial or collector road as required by Section 405.2. To show that the application meets the standards under Section 405 and Section 605.3 and 605.4 of the Ordinance testimony will be presented by Dr. Osborne to elaborate on the proposed use and answer any questions.

Leslie J. Osborne, DVM, is currently employed at Willow Run Veterinary Clinic in Willow Street and has been employed at that location since 1989 as a veterinarian. One of the reasons Ms. Osborne would like to open a veterinary office on her property is that her employer is considering retirement and it is not clear what he will be doing with

his clinic if he would retire. Ms. Osborne stated she is trying to firm up what she can do to solidify a financially stable situation. Ms. Osborne indicated she proposes to renovate about 500 sq. ft. of a 30' x 30' cement block garage. At this point, she is mainly doing acupuncture and herbal medicine with the animals. This is a quiet type of practice. She will see only up to six a day and not more than 30 a week. The property currently has a boarding kennel and her residence. Ms. Osborne pointed out on the site plan the proposed office and its location on the property. Using Exhibit #4 the elevation floor plan, Ms. Osborne explained what renovations they would be doing. They planned on closing in the garage doors and installing French doors, there would be a waiting area inside, bathroom to the right, 7' x 7' room for acupuncture with cabinets and two burners in the room where they keep the pharmacy for the herbs. She also does food therapy teaching people different recipes and how to put food together. There are several sinks for hand washing. A photograph was handed out showing the garage where the proposed veterinary office will be located. The photo was marked Exhibit #5. The property surrounding the applicant's property is mostly residential with the exception of PP&L property located to the rear of applicant's property. Ms. Osborne stated they visited all the neighbors and explained what they were proposing. There were no objections from any of the neighbors. There will be no new construction on the property. Ms. Osborne stated she is a small animal veterinarian and for the last twenty years have been doing standard veterinarian medicine. She has been integrating in Eastern medicine that is acupuncture, the Chinese Herbal and a little therapeutic massage as well as the food therapy. Many of the patients are a referral from other practices. During a patient visit, Ms. Osborne stated she ask questions about the patient, the home life of the animals, looks at x-rays and the blood work. Most of her patients have cancer but 15 to 25% of them she treats with herbal medicine. Most of the patients she treats with acupuncture are arthritic painful animals and they are usually older quiet animals. Ms. Osborne advised the first appointments are normally one hour to one and one-half hour appointments. The acupuncture itself generally runs approximately 45 minutes with some massage at the end and going over different techniques that can be done at home and what they should do in between treatments. This is exclusive treatments and a small pool of pet owners that would be doing this. It is a fairly expensive premium type of treatment so there would not be a lot of people doing it. Prices in general will be around \$135 - \$160 per visit so there will not be a high volume for this type of practice. There will be no employees and Ms. Osborne does not plan on working more than 40 hours a week and be closed Wednesdays. Ms. Osborne is planning only 30 appointments a week. Her hours would be Monday noon – 8 p.m.; Tuesday & Thursdays 9 a.m. – 6 p.m.; Friday 11 a.m. – 6 p.m. and Saturday by appointments in the morning only. The office will have no impact on surrounding properties. Additional traffic will be no more than one vehicle per hour and there will be a 15-minute lag between appointments. There are many uses in the Rural Zone permitted by special exception that can be located on local roads such as home occupations, private schools, nursing homes up to 32 residents, riding stables, family daycare facilities that are all set forth in the zoning ordinance and Ms. Osborne feels her veterinary office would not create anymore traffic or burden on the road than any of the listed uses. Ms. Osborne stated with the kennel traffic and her proposed veterinary office traffic they would produce less traffic than any of the other listed businesses listed for local roads. The closest collector or arterial road is River

Road and it is one-half mile from the Osborne driveway. Ms. Osborne described the differences between a typical veterinary office and the type of office she is proposing. The typical veterinary office has retail sales, picking up of medications and refills, surgery drop offs, and standard appointments. Most practices book about four appointments per hour. Ms. Osborne stated her practice would not have drop in traffic and she would be sending home a month of herbs at a time so they would not be coming in for refills all the time. Ms. Osborne will not have animal boarding, buildings that are not fully enclosed or any outdoor animal pens, stalls or runways, no pasture, outdoor recreation uses. All animal waste will be regularly removed and disposed of. There will be control over the animals and no nuisance condition will be created. The proposed veterinary office will not detract from the use and enjoyment of adjoining or nearby properties, it will not change the character of the neighborhood. There is adequate well and septic available to serve the veterinary office. They have a letter of approval from the sewage enforcement officer. A letter from David L. Lockard, Manor Township Sewage Enforcement Officer, was marked Exhibit #6. The property is not located in a flood plain.

Ms. Yocum went through the requirements for the special exception and variance. The veterinary office is a use permitted by special exception in the Rural Zone pursuant to Section 202.3.1.

Section 405 sets forth additional criteria to obtain special exception for a veterinary office.

Section 405.2 requires a veterinary office must be located on an arterial, major collector or minor collector road and that is the requirement they are requesting a variance from.

Section 405.3 provides the minimum lot area requirement for a kennel shall be two acres. They are not dealing with a kennel but the property contains 10.7 acres.

Section 405.4 animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls, or runways shall be located within the rear yard. The office will have no animal boarding buildings that are not wholly enclosed and no outdoor stalls, pens or runways.

Section 405.5 provides animal boarding buildings not wholly enclosed and any outdoor animal pens, stalls and runways shall be a minimum of 100' from all property lines. None of this applies.

Section 405.6 all pasture and outdoor recreational areas shall be fenced to prevent the escape of animals. The office will have no pasture or outdoor recreation areas.

Section 405.7 all animal wastes shall be regularly removed and disposed from the premises. All animal waste will be regularly and properly disposed.

Section 405.8 the owner of the kennel shall be responsible to exercise suitable control over the animals and not allow a nuisance to be created in terms of excessive noise, dirt or odor.

Section 605.3 is the general criteria to be granted a special exception and 605.3.2.A provides the proposed use shall be consistent with the purpose and intent of the zoning ordinance. They feel the proposed office is consistent with the purpose and intent of the ordinance.

Section 202.1 provides the primary purpose of the Rural Zone is to promote a continuation of the rural character of the area characterized by expansive farming a

mixture of sparsely developed residential uses and other small scale residential uses. The proposed office is consistent because it is a very small-scale non-residential use, which will have little if any impact on the surrounding area.

Subsection B provides the proposed use shall not detract from the use and enjoyment of adjoining or nearby property. The proposed veterinary office will not detract from the use and enjoyment of adjoining or nearby properties. The proposed veterinary office is set back quite a distance from adjoining properties and it is approximately 565' from Oak Road.

Subsection C the proposed use will not substantially change the character of the subject property's neighborhood.

Subsection D adequate public facilities are available to serve the proposed use. Ms. Osborne has addresses this section.

Subsection E does not apply because the property is not located in a floodplain.

Subsection G the proposed use will not substantially impair the integrity of the Township's Comprehensive Plan in the applicant's opinion.

Section 605.4 is the variance requirements. Addressing Subsection 1 the property does have the unique physical conditions that create an unnecessary hardship that would allow for a variance. The physical circumstances of the property that creates an unnecessary hardship is the fact the location of this property is on a local road and does not have access nor is it adjacent to an arterial or collector road. It is really impossible for the Osbornes to gain access to an arterial or collector road. The property is a large tract of land and there is a small non-residential use located on the property. There have been no problems accessing the kennel from Oak Road. Because of the physical location of the property they feel there is no possibility that the property can comply with the requirement in Section 405.2. The Osbornes have not created the unnecessary hardship, because the Osbornes have no control over the location of the property and the identification of roads in the Township. The variance if authorized will not alter the essential character of the neighborhood in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent properties nor detrimental to the public welfare. Impact will be very small. The variance represents the minimum variance that will afford relief and represents the least modification possible of the requirements to be granted a special exception to operate a veterinary office on their property.

In order to obtain approval for the veterinary office, the Osbornes are willing to agree to reasonable conditions and safeguards if the Board feels they are necessary. In order to show the Osbornes commitment to keeping the impact of the proposed veterinary office very small they have some proposed conditions that the Board may consider and they were marked Exhibit #7. Following are the proposed conditions: 1) No more than one person who shall be a resident of the dwelling on the property may be employed at the veterinary office. 2) The veterinary office hours of operation shall not exceed 40 hours per week. 3) The veterinary office will open no early than 8:00 a.m. and close no later than 8:00 p.m. 4) The veterinary office shall be limited to the size of the existing garage on the property. No new buildings will be erected on the property for purposes of the veterinary office and no existing building on the property will be enlarged for purposes of the veterinary office. 5) No sale of pet food, flea and tick products or other

retail products except for herbals and pharmaceutical prescriptions shall occur at the veterinary office.

Ms. Yocum respectfully requests that the Board grant the special exception and variance.

Mr. Schlemmer asked for clarification where north was on the drawings. Mr. Schlemmer asked if there would be a sign on the property and where it would be located. Ms. Osborne stated currently there is a sign less than 2 sq. ft. near the end of the driveway. They have no plans to change the sign. The sign will say Harborwoods and will cover both the kennel and veterinary office. Mr. Schlemmer asked if there is any special license or inspections needed. Ms. Osborne stated from her inquiries the only thing is building codes and her veterinary license. Mr. Schlemmer asked if there is ever a case where the animals would need to be kept overnight and where would they be kept. Ms. Osborne advised she is not planning on keeping any animals overnight. Occasionally people will come with an emergency situation and she offers bare minimum emergency services to get the animal stable to be taken elsewhere. There are three cages planned as containment for clients who come with several pets. There is a full service practice in Conestoga so generally Ms. Osborne will try to send patients to her that would be standard sick animal cases. Mr. Schlemmer asked how the animal waste would be disposed of. Ms. Osborne advised they take the waste to the landfill. Mr. Schlemmer had questions on any sales that would take place.

Ms. Douglas asked if they have ever had complaints regarding their kennels. Ms. Osborne stated they have never had any complaints.

Mr. Granger verified that the applicant would not be dealing with any large animals or farm animals. Mr. Granger had questions regarding the hours of operation. Mr. Granger asked if the Leonards who are the closest neighbors had any concerns and Ms. Osborne stated they had no objections. Mr. Granger asked if Ms. Osborne would ever need assistance with a larger animal. Ms. Osborne stated she would not need assistance but if it was necessary her husband could help. Mr. Granger had questions on the lighting. Ms. Osborne stated there is a security light on the building and there are four wall sconces as well as any other lighting that would be required by zoning. Mr. Granger asked what type of surface was proposed for the parking area. Ms. Osborne advised it would be gravel for all the area with the exception of the ADA parking spot that would be concrete.

Mr. McManus had questions on the topography of the tract. Ms. Osborne advised most of the area is hilly with trees and gentle slopes. The area around the proposed office is flat. Mr. McManus verified there is presently two uses being the residence and the kennel. What is being proposed is a third use of the tract and Ms. Osborne stated yes. Mr. McManus stated assuming there were available water and sewage facilities some other use of this building could be provided so long as provided for in the zoning ordinance by right or without the requirement of frontage on a collector road. Ms. Osborne stated she did not know. Mr. McManus asked if it was not true the building could be converted into some other use other than a veterinary facility. Ms. Osborne stated she thought it probably could if allowed by zoning. Mr. McManus stated the variance criteria cited indicates that there are unique physical circumstances really by virtue of the fact the tract does not already adjoin a collector or arterial road and Ms. Osborne stated yes. Mr. McManus asked if they were suggesting if the variance is not

granted there is no reasonable use of this property and Ms. Osborne stated no. Ms. Osborne clarified there is no reasonable use of this property as a veterinary facility.

Vic Ressler, 103 Oak Road, stated he was present in support of the Osbornes. Mr. Ressler stated they share the right of way into the property and he sees no problem with increased traffic on the road to the property. What traffic they do have for the kennel, everyone is very courteous.

Mr. McManus stated the site plan Exhibit #3 shows a total of six additional parking spaces. Five of those spaces are proposed to be gravel and one is a concrete ADA parking facility and the site will be improved as shown on the plan. Ms. Osborne stated that was correct.

Ms. Douglas made a motion to take the information under consideration and make a decision at the next meeting that will be held April 2, 2008 in this building at 7:00 p.m. Mr. Schlemmer seconded the motion, which carried unanimously.

The hearing was adjourned at 8:05 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, April 2, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, April 2, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Stephen & Leslie Osborne, 109 Oak Rd.  
Students from MU: Matt Lons, Michael Maret, Nick Szeak,  
Gregory Swanson, Nicole Graber, Whitney Duncan, Doug  
Robinson, Carolyn Neese, Emily Carrere & Patrick Wright

### Minutes

Mr. Granger stated they received the draft minutes from the March 5, 2008 meeting. The minutes have been posted and placed on the web site. There were no additions or corrections and the minutes stand approved as submitted.

Mr. Granger stated since there were students in attendance they would explain the purpose of the Zoning Hearing Board and answer any questions the students might have. There was a period of questions and answers.

### Old Business

Case #2-08 - The application of Stephen L. & Leslie J. Osborne, property located at 109 Oak Road, Conestoga, PA 17516 for a special exception of Section 202.3.1 – Animal Hospitals & Veterinary Offices and Kennels in accordance with Section 405 of the Zoning Ordinance. Also, the applicant is requesting a variance of Section 405.2 requiring that veterinary clinics shall be located on a tract which shall front on and gain access from either an arterial, major collector, or minor collector road as identified in the Zoning Ordinance. The applicant wishes to operate a veterinary office on the property. The property is zoned Rural (R) Zoning District. A decision will be rendered.

Mr. Granger advised that the testimony was closed March 5 and the Board members have not discussed the case since that time. Mr. McManus contacted each member individually. Mr. McManus did not provide a draft decision this evening for the Board to discuss. The Board had questions regarding a legal issue and they went into an executive session. Mr. Granger advised when they reconvened they would either make a decision or have a continuance to April 10 at 9:00 a.m. in this room at which time a decision would be rendered.

The Board reconvened and advised they would not render a decision this evening but would reconvene in a special meeting on April 10, 2008 at 9:00 a.m. in this room and render a decision at that time.

The hearing was adjourned at 7:47 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer



## Zoning Hearing Board Minutes

Thursday, April 10, 2008

Time: 9:00 A.M.

Chairman Allan Granger called the Manor Township Zoning Hearing Board meeting to order on Thursday, April 10, 2008 at 9:00 a.m. and advised that this meeting is continued from April 2, 2008. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Leslie Osborne, 109 Oak Road  
Jeremy L. Crum, 131 Shenks Lane

### Minutes

Mr. Granger stated draft minutes from the April 2, 2008 meeting have been posted in the office and on the web site. There were no additions or corrections and the minutes stand approved as submitted.

### Old Business

Case #2-08 - The application of Stephen L. & Leslie J. Osborne, property located at 109 Oak Road, Conestoga, PA 17516 for a special exception of Section 202.3.1 – Animal Hospitals & Veterinary Offices and Kennels in accordance with Section 405 of the Zoning Ordinance. Also, the applicant is requesting a variance of Section 405.2 requiring that veterinary clinics shall be located on a tract which shall front on and gain access from either an arterial, major collector, or minor collector road as identified in the Zoning Ordinance. The applicant wishes to operate a veterinary office on the property. The property is zoned Rural (R) Zoning District. A decision will be rendered.

Mr. Granger stated at the end of the March meeting the testimony was closed. The board met April 2 at which time the Board had some legal questions and they adjourned to an executive session. It was announced that the decision would be rendered on April 10, 2008 at 9:00 a.m. There was no discussion between the Board members since that time. Mr. McManus contacted each Board member individually and drafted a decision that was forwarded to Board that they will discuss at this time. Mr. Granger advised Mr. McManus would summarize the decision.

Mr. McManus stated the draft as prepared contains 30 findings of fact of the Board, Inclusions of Law and within the analysis of this decision it reviews the requirements for the granting of the variance. Those requirements are contained in Section 604 of the Zoning Ordinance. There are 8 conditions for the granting of the variance under the terms of the Zoning Ordinance. Among those are unique physical circumstances peculiar to the particular property not generally created by the Zoning Ordinance that due to such physical circumstances the subject property cannot be developed in strict conformity with the provisions of the Zoning Ordinance. A variance is necessary to enable the reasonable use of the property. A hardship, if one exists, has not been created by the applicant. The variance will not alter the character of the

neighborhood or zone within which the property is located. The variance may not impair the use or development of adjacent property, may not be injurious to the public interest, and must be the minimum affording relief. The Board would have to find that an applicant for a variance would comply with all the criteria. Based upon the testimony presented, the draft decision states that the applicants have failed to demonstrate compliance with respect to the requirements of Section 405.2 that is the request for a variance for failure to have frontage and access onto a collector or arterial road. The draft says that specifically a requested variance is not necessary to enable a reasonable use of the property and there are no unique physical circumstances peculiar to the property not generally created by the Zoning Ordinance. The decision as prepared denies the application for a variance. In addition, since the requirement of frontage is a specific criteria of the special exception request the denial of the variance to that provision would also require the denial of the special exception application for failure to meet one of the conditions specifically Section 405.2. The draft decision is prepared in a form that denies the application for both variance and special exception.

Ms. Douglas made a motion that the application of Stephen L. Osborne and Leslie J. Osborne for a special exception pursuant to the provisions of Sections 202.3.1; 405 and 605.3 of the Manor Township Zoning Ordinance and a variance to the provisions of Section 405.2 of the Manor Township Zoning Ordinance, to renovate a building for use as a veterinary office on their property located at 109 Oak Road, Parcel Account No. 410-03985-0-0000, be denied. Mr. Schlemmer seconded the motion and the motion carried unanimously.

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

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, May 28, 2008

Time: 7:30 P.M.

Chairman Allan Granger called the Manor Township Zoning Hearing Board meeting to order on Wednesday, May 28, 2008 at 7:30 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Wesley & Jessica Swanson, 2605 Safe Harbor Rd.  
Jake Brandt, 2615 Safe Harbor Rd.

### Minutes

Mr. Granger stated the draft minutes from the April 10, 2008 meeting have been posted in the office and on the web site. There were no additions or corrections and the minutes stand approved as submitted.

### New Business

Case #3-08 – The application of Wesley R. & Jessica S. Swanson, property located at 2605 Safe Harbor Road, Washington Boro, PA 17582. The applicant is requesting a variance of Section 302.1 – Fences and Walls to erect a five-foot (5') fence/wall in the front yard. The property is located in the Agricultural (A) Zoning District.

Mr. Granger turned the hearing over to Mr. McManus. Mr. McManus indicated the form prepared stated the applicant as Wesley R Swanson and asked if there was any objection to amending the application to say it is the application of Wesley R. Swanson and Jessica S. Swanson. Mr. Swanson stated he had no objection. Mr. McManus requested that Mr. & Mrs. Swanson and Mr. Ott be sworn in.

Mr. Ott stated that he is employed as the Zoning Officer in Manor Township and in that capacity he receives and administers the applications that come before the Zoning Hearing Board. Mr. Ott received Case #3-08 the application of Wesley R. and Jessica S. Swanson. Mr. Ott posted the property with notice of the time, date, place and subject matter on May 6<sup>th</sup> and at the same time a notice was placed in the lobby of the Township Office. The notice of the time, date, place and subject matter was in the Lancaster Newspapers on 14<sup>th</sup> and 21<sup>st</sup> of May 2008. Mr. Ott provided proof of publication. Mr. McManus asked that the application be marked as Exhibit #1 and the Proof of Publication was marked Exhibit #2. Mr. McManus noted that the application consisted of the Township form together with a narrative and various graphic depictions and photographs. Mr. McManus advised as the applicants testify to some or all of the attachments they will be marked accordingly. There were no questions regarding the manner by which the hearing was advertised and posted.

Jake Brandt from 2615 Safe Harbor Road, Washington Boro, is a next door neighbor to the applicants and Mr. Brandt stated that he had no opposition to what the

applicants were proposing. Mr. McManus explained party status and Mr. Brandt stated he did not wish to have party status.

Mr. Swanson gave a presentation and began with thanking the Board for hearing their request for a variance. Mr. Swanson stated that he had made some changes to the information that he had given the Board with his application and one of the changes was an updated list of the name and addresses of the neighbors. Mr. Swanson handed out the updated list. Mr. Swanson asked that the narrative be marked Exhibit #3; photograph of the residence at 2605 Safe Harbor Road which was the front elevation was marked Exhibit #4; photograph of the plan with the heights and elevations of the fence and wall marked Exhibit #5; updated site plan with a better scale marked Exhibit #6; photograph taken from the front of the residence looking to the stop sign showing a pictorial of the elevation drop marked Exhibit #7; picture of the wall from the side looking up Safe Harbor Road marked Exhibit #8; a close up picture of the concrete on the wall in front of the residence showing the patched area marked Exhibit #9; plan showing line of site from the corner of Safe Harbor Road as well as the right-of-way was marked Exhibit #10; picture basically showing line of site on previous drawing that is as it exists at the residence marked Exhibit #11; and the amended adjoining property owners marked Exhibit #12. Mr. Swanson stated he would be using the narrative marked Exhibit 3 to guide him through the presentation.

Mr. Swanson stated that he and his wife are requesting a variance to Section 302.1 Fences and Walls at the residence of 2605 Safe Harbor Road. Exhibit #4 is a photograph of the front of the home, as it exists now with the current arborvitaes and 1 foot concrete wall along the front of the home. Mr. Swanson stated that they are proposing to build the fence/wall as shown in Exhibit #5. The applicant is proposing to take out the arborvitaes and concrete wall and replace it with a part brick part fence structure, which they feel would be a safer way of protecting their property. Mr. Swanson referred to Exhibit #5 stating the fence is a total of 57 feet long with one section on the right that is 16 feet long with a 3 foot opening for a gated entry and the fence would continue along the left side is 38 feet in length. The fence would basically cover the front of the house. In terms of elevation, from grade the brick would go up 1 foot where it would meet the fence and then the fence is 3 feet in height. There will be 1 foot above the fence to the final height of 5 feet. The structure is a total of 5 feet in height with a majority of it being open fence. The outer piers are 2 feet wide and 2 feet in depth. The wall is actually 22 inches thick and the piers are 2 feet wide with the inner piers being 1 foot wide. The applicants are seeking a topographical variance under Section 605.4 - Exceptional topographical or other physical conditions peculiar to the particular property and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this ordinance in the neighborhood or zone which the property is located. Their home is directly across from the intersection of Letort Road and Safe Harbor Road and the home actually sits 5 feet below the highest point at the stop sign. The home is non-conforming due to the fact that the front yard setback of the home is less than the required distance of 35 feet from the right-of-way line. The home is 18 ½ feet from the edge of the home to the right-of-way. The Swanson's have safety concerns, as there is an unnecessary hardship that has not been created by the appellant. The home is non-conforming according to Section 201.6 subsection 2 single-family detached dwelling. The Swanson's do not feel that the existing 9 feet arborvitaes and 1

foot concrete structure would adequately stop a vehicle. Mr. Swanson referred to Exhibit #4 that showed the concrete wall and arborvitaes and stated that they clearly feel what exists there now would not stop a vehicle. At this specific intersection, there is an abundance of landfill and Turkey Hill traffic consisting of tri-axle dump trucks and tractor-trailers as well as every day commuters in cars and light duty trucks. Mr. Swanson stated that they feel this is a dangerous intersection since twice motorist have already struck their property. The barn was struck in 2004 and a motorist ran the stop sign and went through the arborvitaes and damaged the concrete structure in 2001. There have been accidents at this house and the home does sit below grade, which makes it more dangerous under these circumstances. The Swanson's now have a family and have concern with children playing in the front yard. The proposed structure would sit to the left of the barn and extend across the front of the home with a 38 foot long section and a 16 foot long section with a 3 foot wide gated entryway. The wall will be out of the right-of-way of the road. The current wall is in the road right-of-way. Exhibit #8 shows how the structure lies directly in line with the barn. The concrete is starting to break away and there is a drop in elevation from the road to where the wall is now. Referring to Exhibit #10, Mr. Swanson stated that some concerns aside from the danger is the existing wall currently sits in the road right-of-way and not only that but with the arborvitaes as thick as they are, you cannot see through it and therefore the line of sight coming south on Letort Road to where Safe Harbor Road begins creates a blind corner. With the proposed fence, it would allow some vision through the fence section of the wall, which would help with the line of sight. Mr. Swanson provided a picture that showed repairs to a 12 foot section of the concrete. The Swanson's major concern is safety as this is clearly a dangerous intersection and their home has been struck twice. Referring to Exhibit #4 Mr. Swanson went over what they are planning for the wall and indicated that the piers will be poured solid. The applicant stated that they believe what they are proposing will be less intrusive and more aesthetically pleasing.

Mr. Schlemmer had a question on Exhibit #10 regarding whether the measurement was from the house or the porch. Mr. Swanson advised him that it was from the house.

Ms. Douglas questioned where the driveway was located.

Mr. Granger had concerns regarding what is being proposed versus what is there and what the safety improvements are. Mr. Granger questioned how much fall in elevation between the concrete wall and the proposed wall. Mr. Swanson stated basically no fall in elevation. Mr. Granger questioned what is being improved in the safety from the existing 1 foot high wall and the new wall. Mr. Swanson stated he believes that the poured solid piers especially with the 2 foot piers and the 1 foot piers on the inside would stop a vehicle. Mr. Swanson stated that he originally had wanted to go 2 feet high with the base wall but scaled that down to be as close as possible to the variance. There is a 6 foot distance between each pier and they believe that would stop a vehicle much more than the arborvitaes. Mr. Granger stated by the Ordinance they could put a 3 foot high fence without requesting a variance. Mr. Swanson stated they do not feel a 3 foot high wall in terms of the elevation and elevation drop would stop a vehicle in a sense a vehicle could easily careen over the top of a 3 foot high wall. Mr. Granger asked if they had calculated the force the piers could resist. Mr. Swanson stated yes but his expert was unable to make the meeting and Mr. Swanson did not want to bring that information in

since he was not expert in that area. Mr. Granger stated that for a variance they have to have reason to grant it. Mr. Granger stated that looking at it now, if the applicant were to put a 3 foot high concrete and brick fence across the front, that would be equivalent to a guard rail which normally would keep a vehicle within the area of the roadway and would probably keep a vehicle from going into the applicant's property and home. Mr. Granger stated that as he looks at what is being proposed the decorative effect of the fence above and between the piers is more aesthetic in the applicant's mind and wonders if it can be done within the Ordinance in a satisfactory method versus going beyond the Ordinance. Mr. Swanson stated that he feels if they were to go 3 feet from grade that a vehicle would very easily be able to go over the top. Mr. Swanson stated that if the elevation was higher and they were level with the roadway then he would see the 3 foot high wall perhaps being an option. Mr. Granger asked if any attempt was made to have the State put a guardrail across the front of the property and Mr. Swanson indicated he had not requested that. Mr. Swanson questioned where the guardrail would sit and whether it would be able to stop a vehicle given the drop in elevation. Ms. Swanson pointed out that when the wall is built it would set 8" back, which will get it out of the right-of-way. Ms. Swanson pointed out that even though they live on a country road, it is surprising the amount of heavy duty vehicles they have traveling in the area.

Mr. McManus asked for the acreage of the property and Mr. Swanson advised him that it is 1.2 acres. Mr. McManus verified that the only improvements on the property are the house and barn. Mr. McManus asked if the existing wall is 8 inches in width and Mr. Swanson stated yes. Mr. McManus asked if it is Mr. Swanson's testimony that he is not in violation of any impervious surface coverage. Mr. Swanson stated that is correct.

Mr. Swanson advised the Board that the property is in compliance with Section 201.7 Maximum Lot Coverage subsection 2 in which 30% or 15,000 square feet, whichever is less, is the maximum coverage allowed on the lot. The applicant's total lot is 52,272 sq. ft. or 1.2 acres. The single-family dwelling covers 2,048 total square feet, while the barn and paved driveway covers 3,705 square feet. The proposed structure covers a total of 114 square feet. The home, barn, driveway and proposed wall total lot coverage is no more than 5,857 square feet; 46,405 square feet of the lot is still uncovered and is clearly within the 30% maximum.

Mr. McManus verified the applicant has on lot water and sewer system. Mr. McManus stated that presently the existing wall and barn are non-conforming with respect to their required setback from the road right-of-way and Mr. Swanson stated that was correct. The existing wall is located how far from the porch of the house? Mr. Swanson advised him that it is 11 ½ feet. The proposed wall will be located how far from the porch? Mr. Swanson stated it would be 10 ½ feet. Mr. McManus asked if the proposed wall will be located on the right-of-way line. Mr. Swanson stated basically yes. Mr. McManus referred to Exhibit #6 and asked if Letort Road intersects directly opposite the home and Mr. Swanson stated yes. Mr. McManus referred to Exhibit #6 stating that there are dimensions showing what looks to be portions of the road radius indicating 244.4 feet and 273.2 feet and asked that the Board be shown what those dimensions refer to. Mr. Swanson stated that they are the dimensions he received from the Township. Mr. Swanson stated that he believes the 244.4 feet goes from the edge of the barn to where he assumes the radius begins but he cannot guarantee that. Mr. Ott advised the

Board that the information came off the County GIS System and he is not sure they know exactly where it starts and stops. Mr. McManus asked if the curve represented by the two dimensions is a curve in Safe Harbor Road and what is the clear sight distance across that curve? Mr. Swanson stated he did not know. Mr. McManus asked Mr. Ott if he knew what the requirement would be for the clear sight line. Mr. Ott stated that this is a Penn Dot road. Mr. McManus asked that the roads be labeled on the Exhibits. Mr. McManus asked Mr. Ott if he could tell them whether or not the existing or proposed wall will comply with any state or local regulations with respect to clear sight across that curve. Mr. Ott stated both roads are Penn Dot roads and he did not know. Mr. McManus asked about local standards and Mr. Ott advised him that he would have to refer to the SALDO to see what would be required if they were doing a land development plan. There is a clear sight triangle for driveways but not for road intersections in the zoning ordinance. Mr. McManus asked if the existing or proposed walls or fences conflict with any dimensional requirements in any of the Township's regulations. Mr. Ott advised in the zoning ordinance there is a section that deals with access drive clear sight triangles. There is nothing that would deal with the actual road intersection in the zoning ordinance. Mr. Schlemmer pointed out this is a "T" intersection in the road and Mr. Ott advised them that the zoning pertains to driveways and there are no driveways involved. Mr. Ott advised them that he would have to look in the SALDO if it was for land development for the road requirements. Mr. McManus stated that what he is asking is on Exhibit #10 which indicates a line of sight. Mr. McManus asked what that line of sight means and how it relates to any regulation. Mr. Swanson stated that he believes as the homeowner what he is proposing to build would create more visibility. The information given is Mr. Swanson's opinion and does not relate to any code or zoning. Mr. McManus asked Mr. Swanson to mark a north directional arrow on Exhibit #6. Mr. McManus asked if someone were traveling north on Safe Harbor Road onto Letort Road around the curve is that presently a dangerous intersection? Mr. Swanson advised him that it is not dangerous if traveling north but if traveling south on Letort Road the arborvitaes do not allow you to see around the corner when traveling. Mr. Swanson stated that they are proposing a more open fence that you would be able to see through. Ms. Swanson advised them with the problem of the line of sight that many times traffic will stop because a tractor trailer is coming around the corner and they do not see a car coming in the other direction. Mr. McManus asked Mr. Swanson if he knew whether or not he would be compliant with Penn Dot regulations regarding the erection of this wall and its effect with the sight distance. Mr. Swanson advised him that he did not know if he would be in compliance. Referring to Exhibit #5, Mr. McManus asked the distance between the fence slats and Mr. Swanson advised him the distance would be 2 to 3 inches. Mr. McManus asked if it was fair to say that unless you are looking at that fence at a 90-degree angle the more obliquely you look at it the more it forms a visual barrier. Mr. McManus stated that at 3 feet in height, the fence would also block the view of oncoming traffic around that curve. Mr. Swanson advised him that would be true to some extent but the further down you are on Letort Road that would not happen. Mr. McManus stated that Mr. Swanson could not tell the Board with any degree of scientific certainty that the replacement of the arborvitaes with the fence proposed would in any way improve the sight around that curve. Mr. Swanson stated that he has no scientific data. Mr. McManus asked Mr. Ott if it was correct that the applicant's could erect a 3

foot fence in the same location that they are proposing a 5 foot fence and be in full compliance with the zoning regulations of Manor Township and Mr. Ott advised them with regards to the height of the fence yes. Mr. McManus asked if it also applied to the location of the fence. Mr. Ott advised him that there is a setback for structures in a front yard. Mr. McManus's question was would the fence not be compliant with the zoning regulations even with the 3 foot fence in the location proposed. Mr. Ott stated they would be compliant because they would be out of the road right-of-way. Mr. Swanson pointed out that they are proposing to move the fence back so it is out of the right-of-way. Mr. McManus verified that this was a single family detached dwelling. Mr. McManus asked the approximate year the home was built and he was informed it was 1860. Mr. McManus asked if the barn was also built at that time and he was advised it was.

Ms. Douglas made a motion to close testimony on this hearing and make decision at the meeting on July 9<sup>th</sup> at 7:00 p.m. in this room. Mr. Schlemmer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 8:30 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, July 9, 2008

Time: 7:00 P.M.

Chairman Allan Granger called the Manor Township Zoning Hearing Board meeting to order on Wednesday, July 9, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 W. Fairway Drive, Lancaster, PA.

Members Present: Allan E. Granger, Walter R. Schlemmer and Barbara M. Douglas  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: None

### Minutes

Mr. Granger stated that the draft minutes from the May 28, 2008 meeting have been posted in the office and on the web site. There were no additions or corrections and the minutes stand approved as submitted.

### Old Business

Case #3-08 – The application of Wesley R. & Jessica S. Swanson, property located at 2605 Safe Harbor Road, Washington Boro, PA 17582. The applicant is requesting a variance of Section 302.1 – Fences and Walls to erect a five-foot (5') fence/wall in the front yard. The property is located in the Agricultural (A) Zoning District.

Mr. Granger stated that the testimony was concluded at the end of the May 28, 2008 meeting and the Board took that testimony under advisement. Mr. McManus contacted each Board member individually, asked for their comments and from that he has drafted a decision that the Board will discuss at this time.

Mr. Granger read a letter received from Wesley Swanson into the minutes. The letter read as follows: *“To whom it may concern: I recognize the fact that I will not be available to witness the decision by the Manor Township Board regarding the variance request at our property, 2605 Safe Harbor Road, Washington Boro, PA. I therefore, wave the right to know the decision within 24 hours as required by the PMPC. Sincerely, Wesley Swanson.”*

Mr. Granger stated that under the Findings of Fact, he had a problem with statement #29 which stated that an unnecessary hardship would result if the proposed fence improvement were disallowed and statement #30 which stated that the requested variance of two feet is minor and represents the minimum relief necessary to adequately safeguard the dwelling from vehicular traffic on adjoining roads and provide reasonable privacy for the existing dwelling. He stated that the applicant could build a solid three (3) foot high wall with a brick face and achieve a long solid barrier without the need for a variance. The iron fence portion of the fence for aesthetics is no reason for a variance to be granted. Mr. Granger stated that he does not agree with the decision and that under the Findings of Fact, numbers 31 through 34 are not necessary.

Mr. Schlemmer stated that he looked at this application from the prospective of the children on the backside of the fence/wall. A three (3) foot wall is not enough protection; a five (5) foot wall would give more protection. A driver with a five (5) foot wall in front of them will pay more attention than if the wall is three (3) foot in height. Mr. Schlemmer stated that he looked at the application from the human element. Safety was the primary reason.

Ms. Douglas made a motion that the application of Wesley R. Swanson and Jessica S. Swanson for a variance to the provisions of Section 302.1 of the Manor Township Zoning Ordinance to erect a fence of not more than five feet in height in the front of the Applicants' Property located at 2605 Safe Harbor Road, Washington Boro, PA 17582, Account No. 4101575700000, is hereby granted subject to the following conditions: 1) The removal of the existing wall and arborvitae and construction of the fence shall be in accordance with the plans and Exhibits submitted of record on May 28, 2008. 2) Applicants shall at all times comply with and adhere to said plans and all other evidence presented to the Board by Applicants or on their behalf at the hearing held on May 28, 2008. 3) Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns. Mr. Schlemmer seconded the motion. The motion carried with Ms. Douglas and Mr. Schlemmer voting in favor of the motion and Mr. Granger voting against. The vote was 2 to 1 in favor.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Bruce R. Ott

## Zoning Hearing Board Minutes

Wednesday, September 10, 2008

Time: 7:00 P.M.

Vice Chairman Walter Schlemmer called the Manor Township Zoning Hearing Board meeting to order on Wednesday, September 10, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 W. Fairway Drive, Lancaster, PA. Vice Chairman Walter Schlemmer led the Pledge of Allegiance to the Flag.

Members Present: Walter R. Schlemmer and Barbara M. Douglas  
Member Absent: Allan E. Granger  
Township Officials Present: Burce R. Ott and James R. McManus  
Visitors Present: Kathy Connors, 429 W. Lemon St.  
Karen & Bill Napier, 341 Manor Ave.  
Lynn Varner-Shenk, 445 Red Hill Rd.  
John Mann, 145 Kready Ave.  
Cindy Burns, 106 Oak Rd.  
Harold Ulmer, Millersville

### **Minutes**

Mr. Schlemmer stated there were no additions or corrections to the minutes and they stand approved.

### **New Business**

Case #4-08 – The application of William J. & Karen L. Napier for property located at 190 West Charlotte Street, Millersville, PA 17551. The applicant is requesting a special exception pursuant to Section 505 to substitute or replace one non-conforming use with another non-conforming use. The applicant is requesting permission to locate an organ repair business at the property. In the alternative, the applicant is requesting a use variance from the permitted uses set forth in Section 204.2. The property is located in the Medium Residential (RM) Zoning District.

Mr. Schlemmer turned the meeting over to Mr. McManus. Mr. McManus asked that Mr. Ott be sworn in. Mr. Ott stated that he is the Zoning Officer for Manor Township and in that capacity receives and processes application that come before the Zoning Hearing Board. Mr. Ott stated that he received the applications indexed #4-08 of William J. and Karen L. Napier for property located at 190 W. Charlotte Street, Millersville, PA. Mr. Ott submitted notice of the date, time, place and subject matter of the hearing to be published in the Lancaster Newspapers on August 27 and September 3, 2008. Mr. Ott provided proof of publication. The property was posted on August 15, 2008 with notice of the time, date, place and subject matter of the application. The property was posted with a notice of the hearing as well as at the corner of West Charlotte and Hoffman Place and along Hoffman Place. A notice of the time, date, place and subject matter was posted in the lobby of the Municipal Office on August 15<sup>th</sup>. Mr. McManus indicated there are two applications, one for a variance and one for a special exception. The special exception application was marked Exhibit #1 and the variance application was marked Exhibit #2. The proof of publication was marked Exhibit #3.

Mr. McManus asked that the applicants identify themselves. Kathy Conners, 429 W. Lemon Street, Lancaster advised the Board that she is the attorney for the applicants. Mr. McManus asked Ms. Conners if it was her address and phone number on the applications and Ms. Conners stated it was. Ms. Conners identified the applicants who were present as William Napier and Karen Napier. Ms. Conners as well as William & Karen Napier were sworn in by the Court Reporter.

Mr. McManus advised the Board that normally the Board consists of three members but only two were present this evening. In the event a decision vote is taken to either grant or deny the application, a tie vote by the Board is a denial. Mr. McManus advised the applicant that they may elect to continue this matter and it is the custom of the Board under these rare situations to grant that continuance until such time as there are three members present. The applicants wished to continue with the hearing.

Mr. McManus asked if there were any other people with interest in the application. Robert Yantz, 185 W. Charlotte Street advised the Board that he was present in support of the application. Harold Hess, 189 W. Charlotte Street advised them that he lived across the street and was present to find out more about what is proposed but is also in favor of the application. There were no adverse parties present.

Ms. Conners advised the Board that the applicants were principally requesting the Board to grant a special exception and in the alternative requesting a variance at the suggestion of Mr. Ott. Ms. Conners advised the Board that they were asking primarily for the granting of a special exception for the change of use. In looking at the definition section of the Zoning Ordinance where it talks about private clubs, the applicant believes that this applies to the property presently owned by the Lions Club. Ms. Conners read from the definition section. The applicants are looking for a special exception under Section 505 of the Zoning Ordinance. The Ordinance reads that the proposed non-conforming use shall not increase any dimensional non-conformity. In this case, they would not be increasing the dimensions. The proposed use is equally compatible with the surrounding area and the applicants feel that the proposed use would be more compatible than the present use. The proposed use would be Monday through Friday from 6:00 a.m. to 6:00 p.m. There would be fewer people involved in the business with only five employees. People do not come to their business to repair their organs. They go out and bring back what needs repaired or refurbished to their location. There will be less noise and traffic with the proposed use. The proposed use is a predictable use with knowing what is going to happen. The applicant submits that this is a more compatible use than the present use on the property. The applicant has been in business for many decades, they have a stake in the community, they are responsive to their neighbors and have been involved in the community. Mr. McManus asked for information regarding the building. Ms. Conners stated that she did not have the lot dimensions and she believed it would be connected to public sewer. Mr. Napier advised the Board that there is public sewer and well water. Mr. McManus asked for the square footage of the building and Ms. Conners stated that she did not know that information. Mr. McManus asked if they are representing to the Board that the present use is non-conforming only with respect to the use of the building and in no other way such as setbacks, building heights or anything else. Can you tell the Board how the present use of that lot is non-conforming. Ms. Conners advised them that it suits the definition of non-conforming in that the use of the building in the medium residential (RM) zoning district and the Lions Club is a non-conforming use. Mr. McManus asked if the setbacks conform to the district requirements and Ms. Conners advised them that she did not know.

Ms. Douglas asked what the size of the lot was. Ms. Conners advised the Board that the realtor could answer the questions regarding the lot and she was sworn in. Lynn Varner-Shenk with Century 21 Fagan advised them that she is the real estate agent who dealt with the agreement between Mr. Napier and the Lions Club. Ms. Varner-Shenk advised them that the multi-list print out of the property indicates the lot size is .6 acres. The square footage of the property is listed as 3,616 square feet above ground. When we measured the day of the showing, we found the main floor of the property to be approximately 3,300 square feet and the basement is the same. Ms. Conners advised them that the blue prints have the setbacks indicated on them. Ms. Conners again indicated that they were not making any changes outside the building. Mr. Schlemmer pointed out that the applicant said that they are not making any changes to something they have not defined. Mr. Schlemmer asked if the drawings before them are the drawings that define the property. Ms. Conners advised the Board that to the best of their knowledge the blue prints are accurate. Mr. Schlemmer asked if they wanted to present the blue prints and Ms. Conners stated that she is presenting the blue prints. Mr. McManus asked if Ms. Conners could tell the Board what is on the blue prints. Ms. Conners advised them that they show the building, parking and the setbacks. Mr. McManus advised the Board that accompanying the application is plans one of which appears to be site plan showing the footprint of the building and the second is titled basement plan. The uncaptioned plan was marked Exhibit #4 believed to be the footprint of the building showing its dimension from the road and from what appears to be a lot line although not identified as lot line and appears to be dashed lines with "P's" in them that Mr. McManus stated that he assumes are parking spaces. The basement plan was marked Exhibit #5. The first floor plan was marked as Exhibit #6. Mr. Napier advised the Board that currently there is 51 parking spaces lined out on the property but the drawing is depicting 17 parking spaces because that is what is required per square footage of the building. Mr. Napier prepared the drawing showing the parking lot and the other two drawings came from the Lions Club archives. The drawing done by Mr. Napier was to show the setbacks.

Mr. Schlemmer referred to Exhibit #4 stating that it shows the building setback of 71 feet and Mr. Schlemmer asked where that measurement were taken from. Mr. Napier advised him that it was measured from the centerline of the street. Mr. Napier advised the Board that the dashed line on the drawing is the minimum setback requirement. Mr. Schlemmer referred to Exhibit #5 stating that the basement plan has a dimension on it that is 80 feet by 44 feet and that comes to 3,520 square feet. Mr. Schlemmer asked the applicant what dimension is the size of the building. He was advised that the dimensions shown on Exhibit #5 are correct to the best of Mr. Napier's knowledge. Mr. Napier advised the Board that possibly the difference is that the drawing is an outside measurement and the applicant's figure is an inside measurement. The applicant advised them that he was listing the building dimensions as shown in the drawing. Mr. Schlemmer asked for clarification on the two applications that were requested. Ms. Conners advised him that the applicant were asking for consideration under Section 505 for a special exception and have the alternate application as per Mr. Ott's suggestion. Mr. Schlemmer asked if it is their testimony that the Lions Club is not in the proper zone today and Ms. Conners advised him that is correct.

Ms. Douglas asked if there would be a lot of noise in repairing the organs. She was advised it would be very quiet. Ms. Douglas questioned if a sign would be needed. Mr. Napier stated at some point they would put up a two square foot sign on the wall,

which is what the ordinance allows. Ms. Douglas verified that there would not be a lot of traffic due to the fact that they would be bringing the parts and instruments back to the business to be repaired and she was advised that was correct. Mr. Napier provided a brochure that was handed out to the neighbors explaining the type of business they are and it was marked Exhibit #7.

Mr. Schlemmer questioned the amount of lighting. Ms. Conners advised them that there would be no additional lighting. Mr. Napier stated that currently the lights are on every night and he would prefer not to have lights on at night unless required by zoning.

Mr. McManus asked if there was anyone present from the Lions Club. Attached to the application, as its last page appears to be standard agreement of the sale of real estate that is initialed by what appears to be the buyer but not by the seller. Ms. Varner-Shenk advised that she had a copy in her file signed by David Shaeffer who has the power as president of the Lions Club. Mr. McManus advised the Board that what he has been handed to him is a ten page agreement with the last page of which appears to bear the signature of the realtor Ms. Shenk, William Napier, Karen Napier and a David Shaeffer as President. Mr. McManus asked Ms. Shenk if she could identify the signature as that of Mr. Shaeffer's. Ms. Shenk advised him that she was physically at the building but did not witness the signature. Mr. McManus advised the Board that what the Board has attached to the application is the first page of the ten page agreement and does not have the agreement in its entirety.

Ms. Conners asked if it would be possible for a decision this evening, because the sale is time sensitive. Mr. Schlemmer advised the applicant's of the Board's procedure and indicated the decision would not be rendered until the following month.

Mr. Schlemmer questioned Ms. Conners from the various categories what would this business be classified as. Ms. Conners advised him that the use would be commercial and it probably fits not the business use without general public access.

Ms. Douglas made a motion to close the testimony and talk to their solicitor individually and make a decision at their next monthly meeting that will be Wednesday, October 1, 2008. Mr. Schlemmer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 7:45 p.m.

Respectfully submitted,

Barbara Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, October 1, 2008

Time: 7:00 P.M.

Vice Chairman Walter Schlemmer called the Manor Township Zoning Hearing Board meeting to order on Wednesday, October 1, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Vice Chairman Walter Schlemmer led the Pledge of Allegiance to the Flag.

Members Present: Walter R. Schlemmer and Barbara M. Douglas  
Member Absent: Allan E. Granger  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Cindy Burns, 106 Oak Rd.  
Judy Shore, 32 Oak Rd.  
John May, 100 Red Fox Rd.  
Bill & Karen Napier, 341 Manor Ave.  
Lynn Varner-Shenk, 445 Red Hill Rd.

### Minutes

Mr. Schlemmer stated there were no additions or corrections to the minutes. Ms. Douglas made a motion to recommend approval of the minutes and Mr. Schlemmer seconded the motion. The motion carried unanimously.

### Old Business

Case #4-08 – The application of William J. & Karen L. Napier for property located at 190 West Charlotte Street, Millersville, PA 17551. The applicant is requesting a special exception pursuant to Section 505 to substitute or replace one non-conforming use with another non-conforming use. The applicant is requesting permission to locate an organ repair business at the property. In the alternative, the applicant is requesting a use variance from the permitted uses set forth in Section 204.2. The property is located in the Medium Residential (RM) Zoning District. A decision will be rendered.

Mr. Schlemmer advised that the testimony was closed at the last meeting and after the Commission members individually contacted Mr. McManus a draft decision was written by Mr. McManus, which the Commission members would discuss at this time. The Commission members had no questions or discussion on the draft decision. Mr. McManus stated if the Board wished he could summarize the contents of the decision and then see if they would like to make a motion to that effect. Mr. McManus stated the application seeks both a special exception and a variance. The draft decision contains a proposed decision with respect to both of those applications. The draft decision as prepared denies the request for a variance to the use provision of Section 204.2 of the Zoning Ordinance. The draft decision grants the special exception application pursuant to provisions of Section 505 of the Zoning Ordinance to permit the substitution replacement of a pipe organ restoration, renovation shop and tuning business within the 6,600 square foot building and Property located at 190 West Charlotte Street,

Millersville, Pennsylvania, Account No. 410-36487-0-0000. The approval of the special exception is subject to the following conditions: 1) The applicants shall at all times comply with and adhere to the plans, Exhibits and all other evidence presented to the Board of Applicants or on their behalf at the hearing held on September 10, 2008. 2) The Applicants shall not expand, substitute, or subdivide the pipe organ business use of the Property for any purpose or use except in strict conformity with the Zoning Ordinance. 3) The Applicants shall provide at least 17 off-street parking spaces for the intended pipe organ 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 pipe organ business. 5) No retail sales may be conducted on the Property. 6) The hours of operation of the pipe organ business shall be limited to Mondays through Fridays from 6 a.m. until 6 p.m. 7) One sign advertising the proposed business shall be permitted which sign shall not exceed two square feet and shall otherwise conform to the sign regulations of the Zoning Ordinance. 8) The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and occupation of the proposed pipe organ 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 Code. Mr. McManus advised the Board that if this is the feeling of the Board it is appropriate to make a motion to that effect.

Ms. Douglas made a motion that the Application for the variance to the use Provisions of Section 204.2 of the Zoning Ordinance is denied. The application for a special exception pursuant to the provisions of Section 505 of the Manor Township Zoning Ordinance is granted to permit the substitution and replacement of the pipe organ restoration, renovation shop and tuning business. Mr. Schlemmer seconded the motion and the motion carried unanimously. Mr. McManus stated that he assumed the motion included and the conditions that are set forth in the draft decision. Ms. Douglas and Mr. Schlemmer stated they are included in the motion.

### **New Business**

Case #5-08 – The application of Lloyd & Pauline Gantz, 32 Oak Road, Conestoga, PA 17516. The applicant is requesting a special exception of Section 203.3.3 in accordance with Section 424 – ECHO Housing. The applicant wishes to construct ECHO Housing on the property. The property is in the Rural Zoning District. Mr. Schlemmer turned the meeting over to Mr. McManus.

Mr. McManus requested that the applicants identify themselves. Cindy Burns stated that she is a daughter to the applicant as well as Judy Shore. Ms. Burns advised the Board that Lloyd Gantz is the property owner but being unable to attend he gave Ms. Burns permission to act on his behalf. Ms. Burns presented a signed note from Mr. Gantz. Mr. McManus verified that Lloyd Gantz is the owner of 32 Oak Road. Mr. McManus advised the Applicant that there are only two Board members present and that the Board normally has three members so there would never be a tie vote. In the event the Board renders a tie vote, under the law that is not a decision and the application would be denied. It is the custom of the Board, when this situation presents itself to allow for a continuance until the next scheduled meeting at the election of the applicant if

they desire to conduct the hearing with a three member Board. Mr. McManus asked if they wished to proceed this evening or continue this matter until next month. Ms. Burns advised the Board that they wished to proceed.

Mr. Ott and Cindy Burns were sworn in. Bruce Ott stated that he is employed as the Zoning Officer of Manor Township and as Zoning Officer he receives the applications that come before the Zoning Hearing Board. Mr. Ott reviews the applications and prepares notification of the time, date, place and subject matter of the application. Mr. Ott published notification of the time, date, place and subject matter in the Lancaster Newspapers on the 17<sup>th</sup> and 24<sup>th</sup> of September 2008 and provided the proof of publication. Mr. Ott posted the property with a notice of the time, date, place and subject matter on the 11<sup>th</sup> of September 2008. Notice of the time, date, place and subject matter was placed in the lobby of the Township Building on September 11, 2008, a location that is available for public view and notice. There were no questions regarding the manner the hearing was advertised and the property posted. The application was marked Exhibit #1 and the proof of publication was marked Exhibit #2. Mr. McManus passed to the Board a letter that was provided by Ms. Burns from the owner of the property her father, Lloyd Gantz stating that she has permission to represent his interest at this hearing, which was marked Exhibit #3. The application consists of the application form, two pages of narrative and explanation, a page containing a list of adjoining property owners, what appears to be a property map identifying the owners of surrounding tracts, additional sheet with site data, another property line map of the tract which is the subject of the application together with surrounding tracts that is outlined in orange, a hand drawn plan that shows the layout of the property along Oak Road, a plan that shows the elevations of a building, another plan that appears to be a floor plan of the building, an additional plan that shows an elevation and floor plan, permit for the installation of on-lot sewage disposal system under signature of the sewage enforcement officer, an application form for an on-lot sewage disposal system permit, and a site investigation and percolation test report for on-lot disposal of sewage accompanying documentation to that permit that shows distances and certain meets and bounds bearings that accompany a permit application. Mr. McManus advised that they would be marked as part of the application as they are identified in the testimony.

Ms. Burns stated that she is filing this application for a special exception pursuant to the following requirements for the Echo Housing for Lloyd and Pauline Gantz per Section 424 of the Zoning Ordinance. The application included the following:

424.1 – The cottage shall be placed on rural zoned property.

424.2 – The elder cottage they have selected is 809 square feet, which is within the allowed 900 square feet allowance.

424.3 – The total lot coverage of the property is shown to be 1% of the parcel of land where the house will be built. There are 3 parcels of land on the one deed. The one tract that they are referring to would be approximately 32 acres. This is not exceeding the allowed 20%.

424.4 – The elder cottage shall be occupied by Lloyd and Pauline Gantz. They are 81 years old and have owned the farm since 1960. They now live in Conestoga Township and need to be closer to family and to downsize. Because of health problems, they require one floor living with minimum steps and possible wheel-chair accessibility. The original farmhouse is occupied by her sister Judy Shore and her husband. They have

lived there since 1980 and helped their father with the farm animals. She and her sister would like the parents to live closer to them. Ms. Burns stated that she also lives on part of the original farm, which was deeded to her in 1982. Her Dad spends a lot of his time at the farm while her mother sits in the car and this way she could stay in the house and not worry about going in and out. They do not want to sell the farm but keep it in the family.

424.5 – The Echo house shall be occupied by a maximum of 2 people, Lloyd and Pauline.

424.6 – They have completed a new septic system for the original home and the Echo home will be connected to this system. The system took into account the proposed added home. The home will also be connected to the on lot well. There are 2 people living in the originally home and there will be only 2 more in the Echo home, which is less than when the Shores 3 children were at home.

424.7 – There will be 1 all-weather parking space provided with unrestricted ingress and egress to the street from the existing driveway.

424.8 – The Ordinance requires that the elder cottage be placed in rear and/or side yard, with side yard setback requirement of 15 feet. The ECHO house will be 325 feet from the side property line. Also, the Ordinance requires a rear yard setback to be a distance of 35 feet. The ECHO house will be located 1320 feet from the rear yard line. Also, the ECHO house will have a 160 feet setback from the roadway.

424.10 – The applicants understand that upon proper installation of the house, they shall receive a temporary zoning permit. This permit will be reviewed every 12 month and a fee applied for such review. Also, the house shall be moved from the property when it is no longer occupied by the qualified persons or the requirements are no longer being met.

There are three parcels of the land on the deed to the property, totaling 43.9 acres. The parcel being specified is 32 acres. Ms. Burns stated that she has listed all the square footages for all the buildings and driveways, which amounts to about 1% of the total 32-acre lot. She also included the following: Ground floor plans and elevations of the proposed structure amounting to 809 square feet; the names and addresses of all adjoining property owners, including those directly across a public right of way; a scaled drawing of the site, with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this ordinance; a written description of the proposed use in sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this ordinance; the permit and completed paperwork for the new septic system recently installed and compliant with the Zoning Ordinance; a scaled drawing showing the proposed parking and location of the elder cottage with the distance from the roadway and adjoining properties. Also staying within the general criteria, the applicant will be using the house only in consistence with the zoning ordinance. The proposed house will not detract or change the character of the neighborhood.

Mr. McManus had the plan that Ms. Burns referred to, which was part of the application, marked Exhibit #1A.

Mr. Schlemmer asked if the driveways shown are stoned and Ms. Burns stated yes and they exist. Mr. Schlemmer noticed that the drawing shows a scale of 1 block equals 50' and questioned if that should be 5 feet instead of 50 feet. Ms. Burns advised Mr. Schlemmer that it should be 5'. Mr. Schlemmer asked who worked the dimensions in the drawing and Ms. Burns advised him that she and her husband took the measurements. Mr. Schlemmer asked when the measurements were done and Ms. Burns advised Mr.

Schlemmer that the measurements were taken on September 8<sup>th</sup>. Mr. Schlemmer verified that the ECHO house might need to be handicap accessible. Ms. Burns stated that they are going through Jeff Kreider who sells these homes that are made specifically for the elderly with everything in them handicapped accessible. Ms. Burns found out that her mother will have to be in a wheelchair and where they live now it is not possible to have wheelchair accessibility.

Mr. McManus asked if Ms. Burns is representing that the sewer permit attached to the application is for a system that is large enough for the existing dwelling and the proposed Echo housing unit. Ms. Burns stated yes and it is already installed. Mr. McManus stated that the date of the issuance of the permit appears to be 8/26/08 and Ms. Burns stated that was correct. Mr. McManus asked that Mr. Schlemmer review the permit to see that it does include all the units that are on the plan. Mr. McManus asked Ms. Burns if the 32-acre tract is presently in agriculture use and Ms. Burns stated yes. Mr. McManus stated that the plan shows one home and asked if it is a two-story dwelling. Ms. Burns advised him that it is a two-story dwelling with an attic and basement. Mr. McManus verified that the Shores would continue to live there. Mr. McManus stated that the new septic system will be located in the side yard of the house to the north of the house near Oak Road and asked if that was correct. Ms. Burns advised him that the location is correct and it is already installed. Mr. McManus asked if they have on site sewage disposal and well water and Ms. Burns stated yes. Ms. McManus asked if the house and the proposed ECHO home would be connected to both systems and Ms. Burns stated yes. Mr. McManus stated that there are a garage, pigpen, shed, barn, another shed, and tobacco barn and a work shed on the property and asked if all these buildings are presently used. Ms. Burns advised Mr. McManus that the tobacco barn is mainly for storage and needs work but the rest of the buildings are used. The pigpen actually houses sheep. Mr. McManus asked if they grow crops or is the agricultural use essentially livestock. Ms. Burns advised him that they have a hay field but a majority of the land is rented to a farmer. Mr. McManus stated that the driveway providing access is a circular driveway of sort and asked if that exists. Ms. Burns advised him that it does exist. Mr. McManus stated that there is an extension that goes to the proposed Echo house and parking space and asked if that extension exists. Ms. Burns advised Mr. McManus that they would be adding the extension. Mr. McManus asked if they would also be creating the parking space and it would be stone. Ms. Burns advised that was correct. Mr. McManus stated that it appears the entrance driveway to the tract, which is past the barn, is a the circular driveway which is approximately 20' wide and Ms. Burns stated yes. Mr. McManus stated that he assumes that the proposed extension to the parking area and Echo home will not be less than 15' in width. Ms. Burns advised that was correct. Mr. McManus stated that there is one other access to this tract from Oak Road and that is to the two-car garage that is for the use of the Shore house and it will remain. Ms. Burns advised Mr. McManus that was correct. Mr. Schlemmer advised Mr. McManus on his request about the septic permit; the septic permit is for four bedrooms in the main house plus an elder care facility. Mr. McManus asked Ms. Burns to describe the actual building that will be located on the property. Ms. Burns advised him that it will be a modular home brought in two sections and will be set on wood supports that will be installed to anchor the house. There are seven supports across the front, seven across the middle and seven in the back. Mr. McManus asked if it is Ms.

Burns testimony that the type of dwelling they have shown in their application is the kind that can be removed when and if they are no longer eligible for Echo housing. Ms. Burns stated yes. Mr. McManus asked if the proposed dwelling has no basement and one floor with two bedrooms. Ms. Burns stated yes. Mr. McManus asked if there would be any exterior lighting added as a result of this house. Ms. Burns stated possibly on the house. There is an existing outside light on the barn that lights the area. Mr. McManus noted that there are no other persons present other than the applicant and the applicant's sister, Ms. Shore and Mr. May who has not expressed an interest in participating in this application. Ms. Burns advised the Board that several neighbors had stopped to talk to her because they were not clear on the application and after informing them of what they were intending to do, the neighbors had no problem with the application. Mr. McManus asked the ages of their parents. Ms. Burns advised him that they are both 81 years old.

Mr. Schlemmer stated the hearing of Case 5-08 is closed. If there are no other comments or request, the hearing is adjourned. The hearing was adjourned at 7:40 p.m. Mr. McManus advised a decision would be rendered at the next meeting scheduled November 5 in this building at 7:00 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, October 29, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, October 29, 2008 at the Manor Middle School, 2950 Charlestown Road, Lancaster, PA 17603. Secretary Barbara Douglas called the meeting to order and led the Pledge of Allegiance to the Flag. Ms. Douglas announced that Chairman Allan Granger is out on sick leave and Mr. Schlemmer recused himself due to possible conflict of interest.

Members Present: Barbara Douglas and Lynn Miller  
Members Absent: Allan Granger and Walter Schlemmer  
Township Officials Present: Bruce Ott and James R. McManus  
Visitors: Attached

### New Business

Case No: #06-08 - The application of the Lancaster Area Sewer Authority, property located at 1171 Central Manor Road, Washington Boro, PA, and owned by Gene T. & Barbara T. Crites. Account #410-19817-0-0000. The applicant is requesting a special exception use – Section 211.6.1.B.(1) to install a LASA pumping station and Section 211.6.1.A to install a driveway in the Floodplain Zone (FP). The property is located in the Low Density Residential Zoning District (RL). Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus described the function of the Zoning Hearing Board. Mr. McManus also explained party status and asked if anyone requested party status to the application. No one expressed a wish to have party status.

Mr. McManus asked that Bruce Ott be sworn in. Mr. Ott stated that he is employed as the Zoning Officer for Manor Township and he receives applications that come before the Zoning Hearing Board of Manor Township and noted that he did receive Application #06-08. Mr. Ott stated that the date, time, place and subject matter of this meeting was published in the Lancaster Newspapers on October 15 and 22, 2008. Mr. Ott provided the proof of publication that was marked Board Exhibit #1. The property was posted with the date, time, place and subject matter of the application on October 10<sup>th</sup>. A notice of the date, time, place and subject matter was posted in the lobby of the municipal building on October 10, 2008. There were no questions regarding the manner by which the hearing was advertised.

Maria DiStravolo Elliott introduced herself as an attorney with the Law Firm of Barley Snyder and stated that she was representing the Applicant, the Lancaster Area Sewer Authority. Ms. Elliott indicated that she would have several expert witnesses that would present material to the Board this evening. The expert witnesses are John Weese, Project Manager of Land Development Services with Rettew Associates; Scot Fertich, Professional Engineer with LASA and Yves Pollart who is Director of Environmental Engineer from Rettew Associates. The above individuals were sworn in by the Court Reporter.

Ms. Elliott stated that the subject property is a portion of the property at 1171 Central Manor Road. LASA desires to use this area as a sewer pumping station. The subject lot would be approximately .64 acres. The zoning of the parcel is Low Density Residential and this zoning district permits the use of a public utility such as pumping station under Section 203.2.4 of the Zoning Ordinance. The owners of this property are Gene and Barbara Crites who live in a home on the northwestern portion of the property. LASA currently has an agreement of sale for a portion of the property so they do have an equitable interest in the property. The portion LASA would purchase for the pumping station would be subdivided from the residential lot. The Crites are in support of this zoning application as evidenced by a letter of support that was submitted as part of the zoning application. At this time, the Applicant would like to offer the zoning application as part of the evidence and it has been premarked as Applicant's Exhibit #1. Packets of all the exhibits have been provided to the members of the Zoning Hearing Board and there are additional packets if anyone desires to view the exhibits; however, the exhibits will also be shown on the screen by power point. A letter of support was also received from Mr. Shertzer who lives at 1275 Central Manor Road, which is adjacent to the site. That letter is marked Applicant's Exhibit #2. The subject property that is proposed to be used as a pumping station is currently vacant and is basically a wooded lot with grassy areas. The only improvement is a driveway that is along the eastern portion of the property. LASA's request in the zoning application is two parts. 1) A special exception under Section 211.6.1.B(1) that the subject tract is located partially within the 100 year floodplain as determined by FEMA and a portion of the pumping station equipment would be located within the floodplain. The section of the ordinance indicated requires a special exception if any public utility including pumping stations are to be located within a floodplain. 2) A special exception under Section 211.6.1.A is required because a portion of the driveway that LASA proposes to install to access the pumping station will also be within the 100-year floodplain. Ms. Elliott indicated that she would have John Weese provide additional testimony on the description of the site.

Mr. McManus asked if Mr. Weese was testifying as an expert witness and Ms. Elliott stated yes. Ms. Elliott stated that Mr. Weese's resume has been marked as Applicant's Exhibit #3. Mr. Weese stated that he is a licensed professional engineer in the States of Florida and Pennsylvania. He has been actively practicing for 30 some years in land development and civil engineering work. Mr. Weese indicated that he has had experience in stormwater and floodplain management and is presently employed by Rettew Associates at 3020 Columbia Avenue as Project Manager Land Development. Mr. Weese listed the types of work and projects that he has done. Ms. Elliott offered Mr. Weese as an expert witness. Mr. McManus had questions regarding the type of work Mr. Weese has done. The Board accepted Mr. Weese as an expert witness.

Ms. Elliott listed the following exhibits:  
Applicant's Exhibit #4 – Site Plan of 1171 Central Manor Road and Applicant's Exhibit #5 – Blown up version of the site plan. Mr. Weese explained what was shown in Applicant's Exhibit #4 & #5. Ms. Elliot requested that the Board disregard the site plan that was submitted as part of the application. Applicant Exhibit #6 consists of several photographs of the site for the proposed pumping station. Mr. Reese stated that these are photographs from the western portion of the proposed lot near the stream looking eastward. The photograph on the right of the exhibit is the approximate location of the

proposed control panel. The electrical control panel is proposed in an area that is outside the floodplain. Applicant's Exhibit #7 – Photographs of Typical Concrete Pavers to be used for the driveway. A requirement is a dust free access to the facility and provides water permeability so the concrete pavers are what are proposed to meet the requirements. Applicant's Exhibit #8 – Photograph of approximate location of proposed driveway and current driveway. Mr. Weese described what is shown in the photographs. Applicant's Exhibit #9 – Aerial photograph of subject site.

Ms. Elliot asked Mr. Weese if he had been to the site and Mr. Weese advised her that he has been there several times. Mr. Weese described the site and what is proposed to occur on the site. The location for the pumping station was chosen due to the topography. A majority of the driveway is outside of the floodplain. Mr. Weese pointed out the 100-year floodplain line on the site plan. The elevation is 270 based on the FEMA Study. They did a survey and located the floodplain line. Reference to FEMA is the Federal Emergency Management Agency 2005 Flood Insurance Rate Maps (FIRM) prepared by the Flood Insurance Administration/Federal Emergency Management Agency (FEMA). Mr. Weese pointed out the proposed location for the electrical panel and indicated it is not in the floodplain but typically attached to the wet well that is in the floodplain. In the event of an extreme emergency situation, you have access beyond the floodplain to have emergency connections. The pumping station and a portion of the driveway will be located in the floodplain. The pumping station will be submerged and located at grade with the vent on the wet well above grade. Mr. Weese pointed out on Applicant's Exhibit #6 where the electrical panel will be located as well as the pumping station. Applicant's Exhibit #7 shows the turf block pavers that will be used for the driveway that reduces impervious coverage because the existing macadam driveway will be removed. Since bituminous or concrete is not being used for the driveway, approval is needed from the Board of Supervisors; that approval was obtained. Applicant's Exhibit #8 shows the existing macadam driveway. The driveway is approximately 12 – 15' wide and 100 – 105' long. The replacement driveway will be at the same elevation and grade. Applicant's Exhibit #9 shows the proposed pump station site and Mr. Weese described the surrounding properties to the proposed pumping station. The underground pump station will not affect the floodplain or floodwaters. Ms. Elliot asked Mr. Weese's opinion regarding the driveway affecting the floodplain and Mr. Weese answered that in his opinion the driveway will not affect the floodplain or floodwaters. The intent is that any grading done will reduce the flood volume.

Mr. McManus asked Mr. Weese if there would be any noise from the pump station that will go beyond the boundaries of the lot and Mr. Weese stated no.

Kevin Manuel, 102 Velma Lane, asked if there are other pumping stations in floodplains and is there environmental impact on the creek. Mr. Manuel was advised that would be addressed later in the testimony.

Ms. Elliott called Scot Fertich as an expert witness. Mr. Fertich stated that he is the Engineering Director with LASA. Mr. Fertich's resume was marked as Applicant's Exhibit #10. Mr. Fertich stated that he is a licensed professional engineer in the State of Pennsylvania, has a Wastewater Treatment Operator's license and has a Bachelor's Degree in technology. Mr. Fertich went over his qualifications and employment record. Ms. Elliott offered Scot Fertich as an expert in sewage disposal facilities pumping stations. Mr. McManus advised Ms. Elliot that the Board would accept Mr. Fertich as an

expert witness. Applicant's Exhibit #11 is a photograph of a typical submersible pumping station with electric control panel. Mr. Fertich described what was pictured in the photograph. Mr. Fertich stated that LASA is a municipal authority that has been in existence since 1965. They serve seven municipalities in this region and have a total of 30,000 customers. They have 500 miles of pipe and 10,000 manholes. The collection conveyance was built in the 1970's. Sewer pumping stations are placed where there is a low point so that sewage can be collected in a central location; if it cannot flow by gravity it is then pumped. The subject pumping station will be used to service Letort Manor and Perth Hills. Ms. Elliott read the definition of a public utility from Section 111 of the Zoning Ordinance and asked Mr. Fertich if the LASA pumping station fits into that definition. Mr. Fertich stated yes it would. Mr. Fertich described Applicant's Exhibit #11 in detail regarding the pumps and the electrical panel. The electrical panel will be locked. Mr. Fertich talked about the life expectancy of a station and the maintenance of the pumps. LASA is notified of any failure at the station. The maintenance of the pumping station is very limited. They would visit the station weekly to make sure there are no problems. Pumping stations are generally only expanded if there is a lot of growth. Mr. Fertich stated that they would only be replaced if there would be no other options. This area is a developed area and the station should remain the same as it is planned for a moderate amount of growth. Pumping stations are located at the lowest points in the project and mostly flow will be by gravity to this station. There is a small area in the Perth Hills area that will have a very small pumping station. Mr. Fertich stated that they felt this site would be a less intrusive location. The noise generated from this site would be minimum, it would not be a nuisance to the adjoining property owners, and LASA will obtain the proper permits and approval for the pumping station.

Barbara Douglas asked if there would be lighting on the site. Mr. Fertich stated that they do not plan any dusk to dawn lights. The lighting will be to illuminate the electrical panels. There maybe one strobe light on the control panel. Ms. Douglas asked if there would be any smell, and Mr. Fertich answered no, but if there were any smell, there is action that LASA can take.

Mr. McManus verified that there would be no odor. Mr. McManus asked if there would be any vibration and he was advised no. Mr. McManus asked if the pumping station is a sealed unit. Mr. Fertich stated that it is sealed and no ground water can get in. Mr. McManus asked what the capacity of the station would be. Mr. Fertich advised him that it was approximately 200 gallons per minute and that is considered a small station.

Allen Kreider, 141 Supervisors Road, asked what would be done with the accumulation of methane gas. Mr. Fertich advised him that there would be gravity ventilation. Mr. Kreider asked if there would be landscaping. Mr. Fertich advised him that they had not planned on it but they could put in landscaping. Mr. Kreider asked if there is adequate time to get a generator to the site if there is a problem. Mr. Fertich advised Mr. Kreider that they do have time to get a generator to the location.

Ken Asche, 116 Spring Meadow Lane, asked if they ever had a vault overflow and Mr. Fertich stated yes. Mr. Asche asked if there would be provisions made so if there is an overflow it would not reach the creek. Mr. Fertich stated that he did not believe that they were proposing any provisions. Mr. Fertich stated that they have two

pumps and if one pump fails, the other automatically takes over. If there would be a failure, LASA would make good any damage.

Jan Garber, 113 Spring Meadow Lane, asked how far above ground would the vent pipe be. Mr. Garber advised Mr. Fertich that he has seen the water over the bridge and he is concerned that the vent pipe be high enough above the ground level. Mr. Fertich advised him that they would keep his information in mind. Mr. Fertich also explained that there is a structure under the hatch that prevents water from getting into the pump area.

Tom Ecker, 2 Dublin Drive, asked if the area where he lives was also included. Mr. Fertich stated yes it was included. Mr. Ecker had questions regarding the capacity of the pump station.

Lisa Gillogly, 117 Carol Drive, questioned Mr. Fertich if there would be a fence around the electrical panel. Mr. Fertich advised her that the electrical panel would be locked. Ms. Gillogly questioned the location proposed for the pump station. She questioned if it is typical for LASA to replace the pumps every 10 years. Mr. Fertich stated yes.

Valerie Cavallero, 145 Bender Mill Rd, questioned the worse case scenario regarding the pumps and flooding. Mr. Fertich advised her that if one pump goes out there is a back up pump.

Ron Cavallero, 145 Bender Mill Rd., asked if there is a failure would it cause sewage to back up onto a homeowner's property. Mr. Fertich advised him that if it would happen, they would remediate any damages. Mr. Cavallero asked how the pumping station and control panel is powered. Mr. Fertich advised him that it is connected into an electrical grid. Mr. Fertich advised him that if there is failure, the control panel has a receptacle for a generator. Mr. Cavallero questioned how long it would take for them to respond. Mr. Fertich advised him that they have individuals on call at all times.

Ms. Douglas asked how many underground systems are in the area. Mr. Fertich stated that there are 38 underground pumping stations.

Ms. Elliott asked to redirect. Ms. Elliott asked to clarify the question regarding the potential for backup sewage. Ms. Elliott asked Mr. Fertich if that could potentially happen at anytime. Mr. Fertich stated a blockage could happen anywhere there is sewer line connected to a house and cause a back up.

Ms. Elliott called Yves Pollart as an expert witness. Mr. Pollart's resume is marked Applicant's Exhibit #12. Mr. Pollart identified for the Board his professional experience, his license and education. Mr. Pollart stated that he works for Rettew Associates as Director of Environmental Engineering. Ms. Elliott offered Mr. Pollart as an expert in pumping stations particularly those in floodplains. The Board accepted Mr. Pollart. Mr. Pollart identified Applicant's Exhibit #13 as the cross section of a pump station. Mr. Pollart stated that Michelle Braas was the project manager for this project under his supervision prepared the exhibit. Mr. Pollart gave a detailed description of how the pumping station will operate and how it is constructed. Mr. Pollart gave the depths of the vault and how the hatch operates. Mr. Pollart stated that the hatches are made for use in the floodplain and are constructed of aluminum or steel. This pumping station will have no noise. Mr. Pollart explained what occurs if there is pump failure. Mr. Pollart indicated the structure is built in accordance with US Core of Engineers. Mr. Pollart

indicated that any heat generated by the pumps would be dissipated by the sewage in the wet well. There will be no adverse affect on the natural resources in the area. There will be no environmental impact.

Les Neidig, 137 Carol Drive, questioned the capacity and if it is adequate. Mr. Pollart advised him that it is probably 2000 gallons and the pumps have a margin of safety in that they are oversized pumps. Mr. Neidig questioned if there would be an odor and Mr. Pollart advised him that it should be a very limited odor. Mr. Neidig asked how far from the creek bank the station would be located. Mr. Pollart advised him that the station is approximately 30 to 40 feet away. Mr. Neidig asked if any steps would be taken to avoid erosion along the creek. Mr. Pollart advised him that if any erosion occurs, steps would be taken to stop the erosion.

Ken Asche, 116 Spring Meadow Lane, asked if trees would be removed to construct the pump station. Mr. Pollart advised them that he has not identified any trees to be removed but they will minimize the disturbance.

Mr. McManus asked Mr. Pollart if the improvements of the proposed pump station facility and all structures testified to are they located within any required setback within the RL District. He answered that they are within the building envelope. Mr. McManus asked if the proposed improvements violate any required impervious surface requirements of the zoning ordinance. Mr. Pollart stated no. Mr. McManus asked if there would be any off street parking. Mr. Pollart stated no. There is room for two trucks. Mr. McManus asked if the trucks could adequately fit in the impervious paver area and he was advised they could. Ms. Elliott advised Mr. McManus that the application stated that they would provide the required parking spaces.

Ms. Elliott stated pursuant to the Ordinance there are certain standards and criteria to meet under Section 211.6 and 211.10. She stated that the applicant will show how they meet the criteria within the zoning application. Ms. Elliott listed each section individually and the expert witnesses verified compliance with the sections.

Ms. Elliott advised the Board that they were concluding their testimony and requested that the Board grant the special exception as they met the requirements and criteria. Also, Ms. Elliott stated that she provided the Memorandum of Law in support of the Zoning Application marked Applicant's Exhibit #14. Ms. Elliott moved that all the exhibits be entered into the record.

Mr. McManus questioned the testimony regarding the control panel being 3 to 4 feet in height. Is that the height and width or depth? Mr. Pollart stated that the control panel is approximately 4' high and 3' wide and about 12 –15" in depth. Mr. McManus stated that attached to the application is an agreement of sale between LASA and owners of the property. That agreement of sale was marked Applicant's Exhibit #15. Mr. McManus asked that someone identify the signatures of the Crites. Mr. McManus asked Mr. Fertich if the agreement of sale is between the Crites and sewer authority is the property that is the subject of this application and Mr. Fertich stated yes. Mr. McManus asked if the signatures are of Gene T. and Barbara T. Crites as well as the signature of the representative of LASA and Mr. Fertich verified their signatures. Mr. McManus asked if the agreement of sale is for the premises testified to and Mr. Fertich stated yes. Mr. McManus stated that Ms. Elliott moved for the admission of the exhibits. Mr. McManus advised Ms. Elliot that the exhibits have been accepted as offered by the applicant.

Les Neidig, 137 Carol Drive, asked if any consideration would be given on whether LASA should provide adequate protection for the creek and environment. Mr. Neidig asked that nothing take place until there is unconditional acceptance by the Supervisors. Also that actual construction and any improvements comply with the Township.

Mr. McManus stated that LASA would have to obtain permits for any work they do and LASA still needs to go through the subdivision and land development process and storm water management. Mr. McManus stated that the decision of this Board does not mean that construction can begin.

Mr. McManus advised the audience that the Board intends to render their decision on December 3, 2008 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive.

Barbara Douglas announced that the meeting was concluded for this evening. The hearing was adjourned at 8:45 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, November 5, 2008

Time: 7:00 P.M.

Vice Chairman Walter Schlemmer called the Manor Township Zoning Hearing Board meeting to order on Wednesday, November 5, 2008 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Vice Chairman Walter Schlemmer led the Pledge of Allegiance to the Flag.

Members Present: Walter R. Schlemmer and Barbara M. Douglas  
Member Absent: Allan E. Granger  
Township Officials Present: Bruce R. Ott and James R. McManus  
Visitors Present: Cynthia J. Burns, 106 Oak Road

### Minutes

Ms. Douglas made a motion to approve the October 1, 2008 minutes. Mr. Schlemmer seconded the motion and the motion carried unanimously.

### Old Business

Case #5-08 – The application of Lloyd & Pauline Gantz, 32 Oak Road, Conestoga, PA 17516. The applicant is requesting a special exception of Section 203.3.3 in accordance with Section 424 – ECHO Housing. The applicant wishes to construct ECHO Housing on the property. The property is in the Rural Zoning District. A decision will be rendered.

Mr. Schlemmer stated that the testimony was closed at the October 1, 2008 meeting. After speaking with each Commission member individually, Mr. McManus wrote a draft decision that the Commission members will discuss at this time.

Ms. Douglas made a motion that the application of Lloyd C. Gantz and Pauline E. Gantz for a special exception to located a dwelling (ECHO housing unit) containing 809 square feet of floor area on the property located at 32 Oak Road, Conestoga, Pennsylvania, Account No.: 410-45088-0-0000, is hereby approved subject to the following conditions: 1) Applicants shall adhere to the facts and dimensional criteria contained in their application, as well as all testimony presented on their behalf at the hearing held on October 1, 2008. 2) Applicants shall adhere to the area allocations and locations of all proposed uses and improvements as set forth in their plans attached to their application. 3) Applicants shall comply with all applicable Federal, State and local regulations regarding the construction, use and operation of the proposed dwelling. 4) Applicants shall limit the occupancy of the ECHO housing unit to persons who qualify for said housing pursuant to the provisions of the Zoning Ordinance and shall remove the ECHO housing unit from the Property within 12 months after it is no longer occupied by a person who qualifies for said occupancy. 5) Applicants shall comply with the permitting requirements of Section 424.10 of the Zoning Ordinance. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the

Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the applicants, their successors and assigns. Mr. Schlemmer seconded the motion and the motion carried unanimously.

There being no further business the hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Zoning Hearing Board Minutes

Wednesday, December 3, 2008

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, December 3, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Secretary Barbara Douglas called the meeting to order and announced that Chairman Allan Granger, who had served on Manor Township Boards for 30 plus years, had passed away and asked for a moment of silence. Ms. Douglas led the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas and Lynn Miller  
Member Absent: Walter Schlemmer  
Township Officials Present: Bruce Ott and James R. McManus  
Visitors: Scot Fertich, 130 Centerville Road, Lancaster

### Minutes

Ms. Miller made a motion to approve the October 29, 2008 minutes. Ms. Douglas seconded the motion and the motion carried unanimously.

### Old Business

Case No: #06-08 - The application of the Lancaster Area Sewer Authority, property located at 1171 Central Manor Road, Washington Boro, PA, and owned by Gene T. & Barbara T. Crites. Account #410-19817-0-0000. The applicant is requesting a special exception use – Section 211.6.1.B.(1) to install a LASA pumping station and Section 211.6.1.A to install a driveway in the Floodplain Zone (FP). The property is located in the Low Density Residential Zoning District (RL). The Board will render a decision. Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus advised the purpose of tonight's meeting is for the Board to consider the application that was presented at hearing held by the Board on October 29, 2008 and to render a decision this evening. Each of the Board members have been in contact with Mr. McManus, and have reviewed the testimony and all of the exhibits presented at the hearing held on October 29<sup>th</sup>. Mr. McManus has prepared a draft decision that has been transmitted to each of the Board members. They have not discussed this among themselves. A draft is before them this evening for their consideration and it is appropriate at this time for them to discuss whatever aspects of the draft decision they deem appropriate.

There was no need for discussion on the draft decision and Ms. Douglas moved that the application of the Lancaster Area Sewer Authority for a special exception to construct a sanitary sewer pumping station, interceptor line and a portion of a driveway providing access to the pumping station within the (FP) Floodplain zoning district on property located at 1171 Central Manor Road, Washington Boro, Pennsylvania (Tax Map Parcel No. 15H5-5-12, Account No. 410-19817-0-0000) pursuant to the provisions of Sections 211.6.1.B; 211.6.1.A; 211.8.18; 211.10; and 604 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions which the Board deems

the minimum necessary to adequately protect adjoining properties and preserve the character of the neighborhood within which the Property is located: 1) Applicant shall adhere to the location of and plans for the installation of a sanitary sewer pumping station, interceptor line and a portion of a driveway providing access to the pumping station as set forth in Applicant's Exhibit Nos. 4 and 5. 2) The design, location and installation of all portions of the proposed interceptor line shall comply with the provisions of the Zoning Ordinance together with all applicable State and local regulations regarding their construction and use. 3) Applicant shall comply with all testimony presented by the Applicant or presented on its behalf at the hearing held on October 29, 2008. 4) Applicant shall comply with all applicable provisions of the Manor Township Subdivision and Land Development Ordinance regulating the subdivision creating the Property, design of the development and the installation of the improvements and utilities. 5) Applicant shall comply with all applicable State and local regulations regarding the construction and use of the proposed facilities. 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, its successors in interest and assigns. Mr. McManus advised there was a typographical error in the address in the draft decision. Ms. Miller seconded the motion with the correction to the typographical error. The motion carried unanimously.

Mr. McManus advised the address would be corrected for the property that is the subject of this application in the draft decision and would be executed after the correction is made.

Ms. Douglas stated there would be a reorganization meeting on January 7, 2009 in this room at 7:00 p.m.

There was no further business and the hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Barbara M. Douglas  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, January 30, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, January 30, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

### Re-Organization

Mr. Breneman made a motion to retain the same officers for 2008. Mark Harris, Chairman; Jay Breneman, Vice-Chairman and Todd Graeff, Secretary. Chief Graeff seconded the motion and the motion carried unanimously.

### Minutes

Minutes from the November meeting were distributed and there were no additions or corrections.

### Old Business

There was no old business

### New Business

Mr. Harris informed the Commission of the progress the Road Department has made with replacing road signs under the Federal Highway mandate. Mr. Harris reported out of the 240 roads in the Township they have replaced signs for 50 roads. They plan to have all the signs replaced prior to 2012.

Mr. Harris stated he had brought up at the staff meeting that there is a significant number of signs being damaged with paint ball guns and wanted to make sure that Chief Graeff had been made aware of the problem. Chief Graeff was aware of the problem.

There being no further business the meeting was adjourned at 8:37 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, February 27, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, February 27, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Minutes

Minutes from the January meeting were distributed and there were no additions or corrections.

There was no business before the Commission; therefore, the meeting was adjourned at 8:35 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, March 26, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, March 26, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Minutes

Minutes from the March meeting were distributed and there were no additions or corrections.

There was no business before the Commission; therefore, the meeting was adjourned at 8:35 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, April 30, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, April 30, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris and Todd Graeff

Member Absent: Jay Breneman

New Business

Mr. Harris stated there is no stop signs on Buttonwood Lane and felt a traffic study should be done. Chief Graeff advised he would have Off. Gardner complete a traffic study for Buttonwood Lane.

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

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, May 28, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, May 28, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

### Old Business

Mr. Harris advised at last month's meeting he asked that a traffic study be done regarding placement of stop signs on Buttonwood Lane at Manor Ridge Drive and Temple Avenue. Chief Graeff indicated that Officer Gardner has completed a traffic study and Officer Gardner recommended stop signs be placed on Buttonwood Lane at the intersections with Manor Ridge Drive and with Temple Avenue. Mr. Breneman made a motion to place stop signs as recommended. Chief Graeff seconded the motion and the motion carried unanimously.

There being no further business Chief Graeff made a motion to adjourn the meeting. Mr. Breneman seconded the motion and the meeting was adjourned at 8:40 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, June 25, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:45 a.m. on Wednesday, June 25, 2008 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

### Old Business:

Mr. Harris advised that the stop signs were installed on Buttonwood Lane at the intersection with Manor Ridge Drive and Temple Avenue.

### New Business

Mr. Harris stated in the past when they widened and blacktopped roads they were posted with speed limit signs. Mr. Harris advised they have widened and blacktopped Old Blue Rock Road between Ironstone Ridge Road and Route 999 as well as Locust Grove Road. Mr. Harris informed the Commission he had a traffic count from 2006 for Old Blue Rock Road that showed 85% traveled 28 mph and an average speed of 25 mph with over 400 vehicles traveling the road. Mr. Harris advised he also had done a study in 2006 for Locust Grove Road, but did not have the information available for the meeting.

Chief Graeff made a motion to have Officer Gardner do a traffic study for speed information on Old Blue Rock Road and Locust Grove Road. Mr. Breneman seconded the motion and the motion carried unanimously.

Mr. Breneman raised a question regarding the 3-way Stop Sign at Post Oak Road and Weaver Road asking if it would be possible to have a "Right Turn Keep Moving" for the southbound lane of Weaver Road at that 3-way Stop Sign. After discussion, Mr. Harris made a motion to request that Officer Gardner conduct a traffic study at the intersection of Post Oak Road and Weaver Road to consider marking the southbound lane of Weaver Road at the stop sign "Except Right Turn". Mr. Breneman seconded the motion and the motion carried unanimously.

There being no further business Chief Graeff made a motion to adjourn the meeting. Mr. Breneman seconded the motion and the meeting was adjourned at 8:56 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, July 30, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, July 30, 2008 in the Manor Township Municipal Building at 950 W. Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris and Jay Breneman  
Member Absent: Todd Graeff  
Visitor: Michael Smith, 2026 Manor Ridge Dr.

### Old Business

Mr. Harris advised that a traffic study was requested for Locust Grove Road and Old Blue Rock Road at last month's meeting. The studies were not available for this meeting and would be revisited at the August meeting.

Mr. Harris advised there was a request for a traffic study regarding a sign "Except Right Turn" at Weaver Road and Post Oak Road. That study is not available for this meeting and will be revisited at the August meeting.

### New Business

Mr. Harris indicated he had received e-mail from Susan Smith. Ms. Smith was requesting a 4-way stop sign at Hawthorn Drive and Manor Ridge Drive. She indicated there is an increase in traffic traveling at a high rate of speed. During the school year, children walk to school and she is concerned for their safety.

Mr. Breneman indicated he would like to know how many accidents have occurred at that intersection. Mr. Breneman made a motion to have Officer Gardner do a traffic study and research the number of accidents that occurred at the intersection of Manor Ridge Drive and Hawthorn Drive. Mr. Harris seconded the motion and the motion carried unanimously.

Mr. Harris indicated they had received a letter from Richard Bell, 345 Hawthorn Drive, stating he feels there is a problem with tractor-trailers using streets in the Manor Ridge Development as a cut through. Mr. Bell requested that the Commission consider posting signs "No Trucks Except Local Deliveries". Mr. Bell would like the signs posted at the following intersections: Plymouth Rd. and Stonemill Rd.; Redwood Dr. and Stonemill Rd.; Hawthorn Dr. and Columbia Avenue; Redwood Dr. and Columbia Ave.

Mr. Harris asked Michael Smith who lives on Manor Ridge Drive if he sees an increase in truck traffic in the neighborhood. Mr. Smith advised he sees smaller trucks making deliveries to the nursing home but was unable to verify an increase in tractor-trailer traffic.

Mr. Harris made a motion to request the Police Department provide statistical data pertaining to truck traffic in the Manor Ridge Development in regards to Mr. Bell's request so the Commission is able to make a better decision. Mr. Breneman seconded the motion and the motion carried unanimously.

Michael Smith, 2026 Manor Ridge Drive, reiterated that the stop sign issue at Manor Ridge Drive and Hawthorn Drive is important. Mr. Smith also indicated motorists do not pay attention to the “No Left Turn” at the intersection of Temple Avenue and Millersville Road.

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

Respectfully submitted,

Evelyn Rineer  
Recording Secretary

## Manor Township Traffic Commission Minutes

Wednesday, August 27, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, August 27, 2008 in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff  
Visitor: Michael Smith, 2026 Manor Ridge Dr.

### Old Business

Chief Graeff advised Off. Gardner had completed a traffic study regarding the request for the establishment of speed limit signs on Locust Grove Road. Off. Gardner stated this section of Locust Grove Road runs from Central Manor Road to the West Hempfield Township Line. The section of Locust Grove Road from West Hempfield Township to the Manor Township section is presently posted as a 35 mph speed zone. There is one existing 35 mph speed zone posted within one half mile of the Manor Township Section. Based on the present design and current signs already established, it is his recommendation to post the Manor Township Section of the roadway as a 35 mph speed zone. Mr. Breneman made a motion to post Locust Grove Road with 35 mph speed limit. Chief Graeff seconded the motion and the motion carried unanimously.

Chief Graeff advised Off. Gardner had completed a traffic study regarding the request for the establishment of speed limit on Old Blue Rock Road. Based on the traffic survey and roadway design, Off. Gardner recommended that a 25 mph Speed Zone be established. The speed zone would be for the section of Old Blue Rock Road running from Ironstone Ridge Road to Blue Rock Road. Chief Graeff made a motion to post Old Blue Rock Road with a 25 mph Speed Zone between Ironstone Ridge Road and Blue Rock Road. Mr. Breneman seconded the motion and the motion carried unanimously.

Chief Graeff advised Off. Gardner had completed a traffic study regarding a request for a change in the present 3 Way Stop intersection at Weaver Road and Post Oak Road. Off. Gardner advised the present intersection design consists of a 3 Way Stop regulating the movement of traffic for Weaver Road and Post Oak Road. After a review of the traffic patterns, Off. Gardner found no reason to modify the existing regulatory signs.

Mr. Harris advised they had received e-mail from Ms. Smith requesting a 4-Way Stop sign at Hawthorn Drive and Manor Ridge Drive. Chief Graeff advised that Off. Gardner had completed a traffic study regarding the establishment of a 4-way stop at Hawthorn Drive and Manor Ridge Drive. Off. Gardner stated there are no sight distance issues, which would justify the placement of traffic control devices. The issue of speed is an enforcement issue and cannot be used to justify the placement of traffic control devices. Off. Gardner recommended that no signs be placed at this time. Mr. Smith expressed disappointment with the decision stating that he feels there is a safety issue at this intersection that is a result of sight distance and the speed of vehicles. Chief Graeff advised Mr. Smith that stop signs cannot be used to control speed. Mr. Harris indicated

he could possibly trim a holly tree in the area that may help with the problem of sight distance.

Chief Graeff advised Off. Gardner completed a traffic study for the establishment of “No Trucks except Local Deliveries” for the area of Manor Ridge. Off. Gardner recommended that “No Trucks except Local Deliveries” signs be placed at the intersections of Stonemill Road at Plymouth Road; Stonemill Road at Redwood Drive; Millersville Road at Temple Avenue; and Millersville Road at Manor Ridge Drive. Mr. Breneman made a motion to place the recommended signs. Chief Graeff seconded the motion and the motion carried unanimously.

There being no further business Mr. Breneman made a motion to adjourn the meeting. Chief Graeff seconded the motion and the meeting adjourned at 8:45 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Meeting

Wednesday, September 24, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, September 24, 2008 in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

### Old Business

Mr. Harris advised that the “No Trucks Except Local Delivery” signs have not been installed in the Manor Ridge Area. Barry Smith advised Mr. Harris there might be an ordinance required for the placement of this type of sign. Mr. Harris advised the signs would not be installed until further research is done to determine if an ordinance is required.

### New Business

Mr. Harris stated he had received a thank you note for the work that was done on Miller Road from Mrs. Souders and also a request from her for speed limit signs on Miller Road. Mr. Breneman made a motion to have a traffic study done on Miller Road regarding the posting of speed limit signs. Mr. Graeff seconded the motion and the motion carried unanimously.

Mr. Harris advised July 26, 2004 there was a traffic study done for the Westwood Green Development by Officer Gardner. The streets in Westwood Green are not dedicated. The study recommended the posting of stop signs, speed limit signs and no parking signs on Aletha Lane and Hoffman Place. There were “No Parking” signs placed on both sides of the street. A resident asked if parking could be allowed on one side of the street. After discussion, the Commission agreed to allow parking on one side of the street. Mr. Harris advised they would remove the signs from one side of the street.

Mr. Harris stated that several years ago the Manor Township section of West Cottage Avenue was posted on the north side of the street with “No Parking” signs. At that time, Millersville Boro did not agree to post their portion of West Cottage Avenue with no parking signs. Mr. Harris has been advised that “No Parking” signs have been placed on the south side of Manor Township’s portion of West Cottage Avenue. No one was authorized to place the signs on the south side of West Cottage Avenue and the Commission agreed they are to be removed.

Chief Graeff made a motion to adjourn the meeting and Mr. Breneman seconded the motion. The meeting was adjourned at 8:50 a.m.

Respectfully submitted

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Meeting

Wednesday, October 29, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, October 29, 2008 in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Visitors Present: John May, Allen Kreider and Allan Herr

### Old Business

Mr. Harris advised there has been no new information regarding the placement of "No Trucks Except Local Delivery" signs in the Manor Ridge Area. Mr. Harris hopes to have information by the next meeting.

Mr. Harris advised that at last month's meeting there was a motion to have a traffic study done on Miller Road regarding the posting of speed limit signs. Chief Graeff reported that a traffic study was completed by Off. Gardner. It is Off. Gardner's recommendation that Miller Road be posted as a 35 mph speed zone for both the east and west bound traffic. Mr. Breneman made a motion that Miller Road is posted as a 35 mph speed zone. Chief Graeff seconded the motion and the motion carried unanimously.

Mr. Harris advised the O'Donoghues expressed concern regarding speeding vehicles on Hershey Mill Road and a traffic study was requested to determine if the speed limit should be lowered. Chief Graeff read Off. Gardner's report that indicated there has been 12 accidents along Hershey Mill Road since January of 2004. The majority of these accidents were related to Driving under the Influence. Hershey Mill is presently posted as a 35 mph speed zone. The average vehicle speed determined through the traffic study was 36 mph. Off. Gardner stated based on the information obtained through the traffic study he could find no justification to recommend a reduction in the present speed limit. Mr. Harris indicated he would advise the O'Donoghues of the results of the traffic study. Chief Graeff advised the police department is taking a proactive approach in that area by policing the area.

### Public Comment

Allen Kreider stated people in the township have talked to him about speeding problems and he has observed speeding on Supervisors Road. Mr. Kreider asked that the Commission look outside the big box and come up with some solution to the speeding problem. He indicated that in some cases speed zones do not work. Mr. Kreider suggested that the community be made aware by the web site or newsletter that the police will enforce the speed limits. Mr. Kreider suggested the possibility of a citizen's group helping in various problem areas by somehow making people aware of their speeding.

Chief Graeff advised that for years the State has been giving funds every year to target aggressive driving on all roads not just State roads. Chief Graeff read figures from

the monthly police report regarding citations issued that showed the police are being proactive and aggressive with speeding as well as other violations.

Mr. May indicated he had traveled on a road that had curves and speed bumps that helped with people speeding. Chief Graeff advised speed bumps are illegal on public roads. Mr. May was advised there is something called a calming device that can be used but it is expensive and also causes problems for the road department during snow plowing.

Mr. Kreider made a suggestion to place an unmanned police car along the road. Chief Graeff stated there is always a concern regarding criminal mischief to the vehicle. Chief Graeff feels the speed trailer, which he has put in the budget, is the best solution. He has borrowed one for the last two years and has seen good results. Mr. Kreider also had a suggestion relating to using citizens to hand out notices to individuals who are speeding. Chief Graeff advised something like that could lead to numerous problems. Chief Graeff advised his department would continue to be proactive regarding the speeding issue.

There being no further business Chief Graeff made a motion to adjourn the meeting. Mr. Breneman seconded the motion and the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Meeting

Wednesday, November 26, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, November 26, 2008 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Todd Graeff and Jay Breneman

Visitor Present: Mike Williams, 231 Eagle Path, Mountville

### Old Business

Mr. Harris reported that the Solicitor advised in order to place “No Truck Except Local Delivery” signs an ordinance needed to be created. The process has begun to create an ordinance for the signs to be placed in the Manor Ridge area.

Mr. Harris reported that the speed limit signs have been erected on Miller Road.

### Business From the Floor

Mike Williams, 231 Eagle Path, asked that the “No Parking” signs be removed from the cul-de-sac. He stated at times there is no parking available for friends and relatives of the residents to park and when they park in the area of the “No Parking” signs they have received tickets. Mr. Harris advised that it is a dedicated street and the signs are enforced. Mr. Breneman expressed concerns regarding emergency vehicle access if the “No Parking” signs were removed. Chief Graeff stated, based on past practice, he does not feel they should change their policy. Mr. Harris explained the reasons for the “No Parking” signs and the Commission was in agreement to keep the “No Parking” signs on this street.

Mr. Williams requested “Watch Children” signs due to the number of small children in their neighborhood. Mr. Harris advised that this sign is not a regulatory sign and the Commission was in agreement to install the signs. Chief Graeff made a motion to place “Watch Children” signs wherever it is deemed necessary. Mr. Breneman seconded the motion and the motion carried unanimously.

There was no further business and the meeting was adjourned at 8:40 a.m.

Respectfully submitted,

Todd A. Graeff

Reporting Secretary  
Evelyn Rineer



## Manor Township Traffic Commission Minutes

Wednesday, December 31, 2008

Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was called to order at 8:30 a.m. on Wednesday, December 31, 2008 in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

### Old Business

At last month's meeting, Mr. Williams from 231 Eagle Path requested that a "Watch Children" sign be placed on Eagle Path. Mr. Harris advised that the requested sign has been installed.

Mr. Harris stated that in August a request was made for signs to be erected "No Trucks Except Local Deliveries" at four intersections in the Manor Ridge Development and a traffic study was completed. Mr. Harris advised a letter was received from Mr. Goodman stating that in Mr. Goodman's opinion an ordinance does not need to be created to erect the requested signs. Mr. Harris plans on having the signs installed before the next meeting.

There being no further business Mr. Breneman made a motion to adjourn the meeting. Mr. Graeff seconded the motion and the motion carried unanimously. The meeting was adjourned at 8:36 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Park and Recreation Meeting

January 28, 2008

7:30 PM

Chairman Ed Rand called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 W Fairway Drive, Lancaster, PA 17603. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: Ed Rand, Karla Vinson, Courtney Barry, Kyle Ream, and Brandon Danz.  
Members absent: Paul Miller and Elizabeth Lehman.

Chairman Rand welcomed two new Board members and introduced Courtney Barry and Kyle Ream.

### Minutes

Brandon Danz made a motion to approve the minutes from November 26, 2007. Karla Vinson seconded the motion, which carried. Kyle Ream and Courtney Barry abstained.

### Organizational

Chairman Ed Rand opened up the floor for nominations.

Chairman- Brandon Danz made a motion to nominate Ed Rand for Chairman of the Board for 2008. Karla Vinson seconded the motion. Courtney Barry moved to close nominations. The motion carried unanimously for Ed Rand to be Chairman for 2008.

Vice Chairman – Ed Rand made a motion to nominate Brandon Danz for Vice Chairman of the Board for 2008. Karla Vinson seconded the motion. Mr. Rand moved that nominations be closed. The motion carried unanimously for Brandon Danz to be Vice Chairman for the year 2008.

Secretary – Ed Rand made a motion to nominate Karla Vinson for Secretary of the Board. Courtney Barry seconded the motion. Mr. Rand moved that nominations be closed. The motion carried unanimously for Karla Vinson to be Secretary for the year 2008.

Chairman Ed Rand closed the organizational meeting.

### Business From the Floor

There was no business from the floor.

### Old Business

### New Business

### Bill Laudien's Report

PPL Land Mr. Laudien stated that the Lancaster County Conservancy has teamed up with PPL to acquire a large section of land on the Lancaster County side of the Susquehanna River and some on the York County side. He stated the Conservancy will be purchasing this land for 5 million dollars from PPL and then PPL will use the money for the continued upkeep, maintenance and development of the property. He noted this is great news for the Township because part of this transaction is located in Manor Township and will be a wonderful area for public access and recreation on both sides of the river.

**Low Grade Rail Line** Mr. Laudien stated that arrangements have been made for an assessment of the rail line, determining the value from the southern most point in Manor Township all the way to the northern most point in Manor Township. It will be a six-mile stretch from the base of Turkey Hill to the bridge at Holtwood. He noted they will be hoping that in addition with the segment that Norfolk Southern wants to turn over to the Township for a low-grade rail trail, we might be able to acquire a ten-foot easement on the full length of the line. This would start at Columbia and run the end at the southern tip.

**KL Smith Land** Mr. Laudien stated the Township has purchased 2.1 acres of land that is located directly behind the Manor Township Maintenance Building. He noted that it is unlikely that any of this will be used for recreation purposes, because, it will most likely be used by the maintenance department.

**Fire Company Land** Mr. Laudien stated that the Millersville Fire Company, with some assistance from Manor Township, has purchased a parcel of land along Blue Rock Road, right outside of Millersville Boro. He noted this has gone through the subdivision and land development process and the Fire Company will be requesting to build a facility at this location in the near future. This should come before the Township Supervisors for final approval at their next meeting. Mr. Laudien stated that the LCPC and the MTPC put a condition on the plan requiring that the Fire Company approve an easement that would run along the creek for the full length of the property. Bill described the layout of the land, the flood plain area and the fact that the flood plain area could possibly be used for a park area or open space but no type of development. He did add that there needs to be issues discussed such as liability and parking. After further discussion, Mr. Laudien recommended that this Board reflect to the Supervisors their approval for this plan and include the proposed 25' to 35' easement along the full length of the creek, as a minimum condition. He noted that this would open up the possibility of a bridge across the creek that would connect an existing trail that goes all the way to Letort Road. Mr. Rand asked how big of a building the fire company is proposing. Mr. Laudien stated the building would be 65' X 110' and would be a 4 bay secondary station. Doug Stoner, President of the Millersville Fire Company, stated the Fire Company has a group that will be working on this project. He went over the proposed easement for the property and that the Fire Company would be in agreement with that. However the concerns they have include a steep drop to the creek and the limited parking that would be available because of the layout of the land. The Board asked about the entrance to the property. Mr. Stoner stated they would be keeping the existing driveway but would be cutting the banks back for better site distance. Mr. Laudien discussed ways they might develop a park area on the site.

#### Park and Open Space Plan

Mr. Laudien passed out the information and maps. They discussed the map on population by zoning and the map including parks that exist. He noted they have been modified to the change requests. Mr. Laudien went over the plan conclusions noting the results in several areas that show an interest in passive recreation such as movies and concerts in the park. He stated that the results from prior discussion was that the Board is in agreement that there is a need for some sort of recreation facility in the north central part of the Township. Mr. Steve Kruzik, DM/A, went over the maps and explained features on them. Bill went over the existing areas and potential areas of growth. Courtney asked how it works when developers give money in lieu of parkland. Bill explained the process and that the Supervisors have already established a fund and have increased the fees in lieu of.

The Board discussed the surveys that were returned and commented that there is little use of the Creswell Park. Courtney noted that there really is nothing at the park for residents. Bill agreed, but noted that we rent the area and we do not own it, so we are limited on what we can install. He stated that a bathroom was added and the parking lot was stoned.

Bill went over the Plan Conclusions. See Attached. They included the programming, the facility, the parks and greenways, linear parks and waterway access. He did note that there is a need for some type of larger meeting room facility. The Township is not able to hold a large meeting without renting a facility from the school district. We also had to discontinue some programs we were running because the school district no longer had facilities available. He stated there is a need for some type of community building but he was not referring to having it be a large gym. Brandon noted that from the surveys, people want some things, but they do not want taxes raised to get those things.

Bill noted that he has parks broken into categories. Active recreation was the one that surprised him from survey results, which included the greenways, linear parks and waterway access. Mr. Laudien urged, that the Board needs to make strong recommendations so we can make sure we obtain right of ways or areas from developers. Bill noted active recreational facilities must be recommended up front to a development if they want a small park or fees in lieu of to go toward a community facility. Mr. Rand stated in past he wanted land from a developer, but he has since seen the advantage to a larger parcel to provide a community center and the fee in lieu of would help prepare for that. Ms Vinson stated that when we acquire smaller lots, they are used for swings and slides for small children and a lot of homes today have a play area of their own. She noted the survey shows people today want areas larger where they can walk, jog, etc. Courtney stated a lot of the new condominium areas have no yards and that may be where you want to consider the tot lots. Brandon asked how the fee schedule works. Bill stated that the developer has an obligation based on the ordinance to supply a certain amount of acreage, 0.37 per dwelling unit. If a developer reaches an agreement with the township, they can pay a fee in lieu of instead of providing the land. He stated that money is set aside and does not go into the general fund. Kyle asked what the size would be of the park they are proposing for the Hershey Mill Road area. Bill stated they would be looking at anywhere from 15 to 50 acres. He noted that area is good because that is where the development is right now plus it has sewer and water. We would be looking to have a community park. Bill noted that the draft with recommendations should be completed and then a public presentation. Ed asked if they have any site in mind. Bill noted they have looked at the area and they must exclude any preserved farms.

Brandon made a motion to adjourn the meeting, seconded by Courtney. The motion carried unanimously. The meeting adjourned at 8:30 pm.

Respectfully submitted,

Karla Vinson  
Secretary

Recording secretary  
Rita J. Young



## Manor Township Park and Recreation Meeting

March 24, 2008

7:30 PM

Chairman Ed Rand called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: Ed Rand, Kyle Ream, Courtney Barry, Karla Vinson, Elizabeth Leaman and Brandon Danz. Members absent: Paul Miller

Visitors: Stephen Kruick, DM/A Planning Group

### Minutes

Courtney made a motion to approve the January 28, 2008 minutes. Kyle seconded the motion, which carried unanimously.

### Business From the Floor

There was no business from the floor.

### Old Business

Bill stated he has received the draft for the Manor Township Comprehensive Recreation and Open Space Plan 2008 Update and distributed it to the Board members, noting that the corrections and maps should be included. Bill noted that they have been working on this for a long time and asked that the Board review the document, especially pages 33 through 36, and bring any more corrections and comments to the next meeting and he would hope they could wrap this up then. He stated that the final draft of the Sub-division and Land Ordinance is ready to be advertised and should go to the Supervisors for approval before the next Park and Recreation Meeting. Elizabeth asked if the Township had a piece of land in mind for the park they want to develop around the Hershey Mill Road area. Bill stated no, they are just looking at this point. Courtney asked Bill some questions about a reference in the MT Planning Commission minutes that talked about use of roads for recreation. Bill stated this is in reference to possibly trying to connect developments through the use of bike or pedestrian paths and corridors. She noted that she thought maybe this was something the park board would do. Bill explained that this type of thing is usually done in the planning stages of development.

### New Business

Bill stated that he has received a letter of resignation from Paul Miller. He noted that he is sorry to lose Paul and this will leave a vacancy on the Park and Recreation Board again.

55 Alive – He noted that we now have a police officer that is certified to teach the 55 Alive classes again. Bill stated they will be holding the classes on June 23<sup>rd</sup> and 24<sup>th</sup> here at the Municipal Building.

Bill stated that the Supervisors have partnered with the Conestoga Historical Society and there will be a presentation at the Society entitled Life in Manor. It will begin on April 19<sup>th</sup> and run through Dec. 2008 on Saturdays and Sundays 1PM to 4PM.

Rail Trails – Bill noted that the Supervisors have contracted with a consultant to assess the property owned by Norfolk Southern Rail Road along the Susquehanna River. He stated that they will be hoping that this will be a large addition to the Rail Trails program.

Turkey Hill Country Classic – Bill stated this will be held May 3<sup>rd</sup>. He stated any Board members are welcome to help if interested.

Summer Playground – He noted they will be holding the playground program again this year but he did not have details at this time.

\*\*\* Meeting date change - Bill stated that due to the Memorial Day Holiday Weekend, the next Park and Recreation Meeting will be Tuesday, May 27, 2008 at 7:30 PM, instead of May 26<sup>th</sup>.

There being no further business, Elizabeth made a motion to adjourn the meeting. Kyle seconded the motion, which carried unanimously. Meeting adjourned at 8:10 PM.

Respectfully submitted,

Karla Vinson  
Secretary

Recording secretary  
Rita J. Young

## Manor Township Park and Recreation Meeting

November 24, 2008

7:30 PM

Chairman Ed Rand called the Manor Township Park and Recreation Meeting to order, at the Manor Township Municipal Building, 950 W Fairway Dr., Lancaster, PA 17603. He led those in attendance in the pledge to flag. Roll call was taken.

Members present: Ed Rand, Kyle Ream, Brandon Danz and Elizabeth Leaman.

Absent: Karla Vinson and Courtney Barry.

Staff: Barry Smith and Rita Young

Visitors present: Christine Brubaker

Brandon Danz made a motion to approve the March 24, 2008 minutes. Elizabeth Leaman seconded the motion, which carried unanimously. It was noted that there were no minutes from the May 27, 2008 and the July 28, 2008 meetings because we did not have a quorum. It was also noted that the September 22, 2008 meeting was canceled.

### Business from the Floor

Christine Brubaker, 22 Birch Court, stated that she has been a resident of Manor Township for 30 years and has been very active with recreation and open space concerns in Manor Township for the entire 30 years. She noted that she is currently Vice Chairman on the LIMC and the Manor Township representative for that committee. Ms Brubaker stated she has read page for page the draft copy of this Manor Township Comprehensive Recreation and Open Space Plan 2008 Update. She noted that she was very active in the first Manor Township Park and Open Space Plan and is now active with the Lancaster County Commission Green Info structure Plan. She listed committees with the County and other recreation boards and meetings that she is active with. Ms Brubaker stated that her goal here tonight was to have communication with this Board to make sure other park documents for Lancaster County and this document have the same language and all are compatible. She stated that if this draft is not delayed until that is accomplished, in her opinion; it would be a disservice to all the plans. She expressed her displeasure with this document and urged the Board not to rush this Comprehensive Recreation and Open Space Plan through without reviewing it page by page and making the corrections. She also stated that she did not feel the surveys for this plan were done correctly. Mr. Smith noted that the Board does not have to rush anything through tonight. He stated that this document is currently before the MT Planning Commission for review and comments and scheduled for their December meeting. Mr. Smith stated that the Supervisors are anxious to get this adopted because for them it is imperative that they have a document that supports land acquisition for park and open space that a developer must provide when subdivision plans come in.

Brandon Danz noted that the plan process for this has been a long process with work sessions. Elizabeth Leaman stated that the Board was expecting to have a little more formal review of this document but two things have happened. One Bill Laudien left the Township and two the consultant this Board was dealing with lost his job. Mr. Smith noted the Board has time to do a little more research and submit comments if they want. Christine stated that she would be willing to sit down with any one of them and go through the document page by page.

## Old Business

Mr. Smith gave an update of the Rail Trail accusation of the low grade line. He described the 5 mile strip from Creswell to Safe Harbor, owned by Norfolk Southern, that the Township has been trying to purchase. He stated that most of the documentation has been finalized and they need to determine the price to acquire the land. Mr. Smith stated the appraisal came in at \$435,000. Norfolk Southern must determine if that appraisal is suitable with their board of directors. Mr. Smith noted that there are some agencies that are interested in assisting in the funding and stated that it could be 3 million dollars. He stated the County may be announcing their share, Norfolk Southern has also stated they will make a contribution even though we are purchasing the land from them. Mr. Smith added that DCNR has stated they will pledge an amount also. He noted it is an exciting thing and they hope to conclude this in 2009. Mr. Rand asked what will be done with the five mile stretch. Mr. Smith stated this will be a trail design area and will be a fantastic corridor. After some discussion on trails, Mr. Rand stated that they should have more feed back on this at the January 26<sup>th</sup> meeting.

Brandon asked what was done with any recommendations that came out of their meetings over the past year on this comprehensive recreation and open space plan. Mr. Smith stated that the information was submitted to DCNR and they are satisfied with it.

Brandon asked if there was going to be another news letter this year yet. Mr. Smith stated no, the next thing will be a newsletter calendar and he believes that it may already be at press. Brandon suggested that it include an invitation to the public, one last time, to address this issue, even though they have done this several times before. Mr. Smith said he will check into that. Ms Brubaker disagreed that the public has been invited to comment very often. She stated she does monitor these advertisements and she has not seen more than one previous to this one.

Mr. Smith noted that if the Board is interested, they should let him know and he will get the other documents for their review.

There being no further business, Elizabeth Leaman made a motion to adjourn the meeting at 8:30 PM. Kyle Ream seconded the motion, which carried unanimously.

The next meeting will be January 26, 2009 at 7:30 PM.

Respectfully submitted,

Karla Vinson  
Secretary

Recording secretary  
Rita J. Young