

2015 Meeting Minutes

SUPERVISORS MEETING MINUTES

Manor Township Supervisor's Organization Meeting

Monday, January 5, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Monday, January 5, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag. Chairman Clark turned the meeting over to Vice Chairman Breneman to make an appointment for the Chairman for 2015.

Members Present: Brandon Clark, Jay Breneman, John Wenzel, Amber Green, George Mann
Staff Present: Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer
Visitors: Steven DiGuiseppe, Millersville University
Christine Brubaker
Leslie Osborne
Lisa Lewis, Valley Dr.
Elaine Jones, LNP
Mary Glazier, 269 Chestnut Grove Rd

Elect Chairman – Vice Chairman Breneman asked for nominations for Chairman for 2015. Ms. Green nominated Brandon Clark. Mr. Mann seconded the nomination and the nomination carried unanimously.

Elect Vice Chairman – Ms. Green made a motion to elect Jay Breneman as Vice Chairman for 2015. Mr. Clark seconded the motion and the motion carried unanimously.

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

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

Appointments

Appointments to Boards – Chairman Clark read the following appointments to the Boards: Planning Commission for a four year term is one position, Keith Hoover. Zoning Hearing Board for a three year term is one position which is Resolution 1-2015, Mike Julian. Zoning Hearing Board Alternate for a three year term which is Resolution 2-2015, Alex Egner. Park and Recreation Board for a five year term with three positions available, Courtney Barry, Maher Hattar and Karla Vinson. Ms. Green made a motion to approve the appointments as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Appointments – Mr. Clark read the following appointments: Solicitor Goodman & Kenneff, Associate Solicitor Special Counsel Matthew Crème, Labor & Personnel Counsel Ballard Spahr, General Engineer Rettew, Subdivision Land Development Engineer Rettew, Alternate

Subdivision Land Development Engineer Buchart Horn, Storm Water Engineer Rettew, Alternate Storm Water Engineer Buchart Horn, Storm Water Officer Ryan Strohecker, Traffic Engineer Rettew, Planning Engineer Hanover, Vacancy Board Lester Eckman, Manager Ryan Strohecker, Public Works Director Mark Harris, Assistance Public Works Director Henry Hank, Zoning Officer Nickolas Ebersole, Assistant Zoning Officer Lauren Zumbrun, Delegate to the State Convention Jay Breneman, Representative to the Lancaster Inter Municipal Committee Amber Green, Representative to the Intergovernmental Insurance Cooperative Board Ryan Strohecker, Representative to Blue Rock Fire District which is a two year term John Wenzel, Auditor covered by Resolution 3-2015 Bertz Hess, Traffic Commission Mark Harris, Todd Graeff and Brandon Clark; Right-To-Know Officer Ryan Strohecker, Penn Manor Municipal Representative Lancaster County Tax Collection Bureau Ryan Strohecker. Mr. Mann made a motion to approve the appointments as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

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

Chairman Clark called the Regular Supervisor's Meeting to order at 7:05 p.m.

Minutes – Mr. Breneman made a motion to approve the minutes from December 3, 2014 meeting. Mr. Wenzel seconded the motion and the motion carried unanimously.

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

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

Business from the Floor

Christine Brubaker, 22 Birch Court, stated she had provided packets that contained the Native American Trails, the historic maps of Penn Manor, Benjamin Musser Hospital information, the National Parks Service Cultural Landscape Guidelines and 2002 Manor Township Comprehensive plan wording. Ms. Brubaker stated she is not representing the pipeline but is representing Manor Township Heritage. Ms. Brubaker talked about a 300 acre land transfer that she would like to see named with a Native American Heritage reference. Ms. Brubaker asked the Board for three things that she did not expect an answer for this evening but stated she will be back.

Old Business

Recognition of Police Department – Mr. Strohecker stated tonight would be recognition of some Officers in a recent case they were able to solve. Mr. Strohecker stated this is an opportunity to show the Township Police Department that the Township is community minded and stand behind the Police and appreciate the service they do. Chief Graeff advised that Detective Phenneger and Sergeant Gardner were present tonight but Detective Mazur was unable to be present due to illness. Chief Graeff stated last month he talked about the commercial burglaries these officers helped solve and gave some background information. Chief Graeff read a letter of accommodation that was written for Detective Phenneger, Detective Mazur and Sergeant Gardner.

LCSWMA Agreement Modification – Mr. Clark stated this is for information purposes for this month. The record will reflect they are in receipt of the Agreement that will be discussed further in February. Ms. Green asked that counsel look at No. 3 – Expiration of this Amendment particularly the language that states “for any reason or no reason”. Ms. Green takes issue to that statement and would like Township Counsel to clarify that language.

Mary Glazier, 269 Chestnut Grove Road, again mentioned that she hoped there is an affirmative step taken by the Waste Authority or the Township to make people more aware this change is occurring. Ms. Glazier stated more than just increasing the height is occurring as there will be tremendous increase in the capacity as the Waste Authority is reaching out to other communities and bringing in considerable amounts of waste to its facilities. Ms. Glazier feels this will put a strain on the Township resources and take it far from its mission of providing for solid waste disposal for Lancaster County. Ms. Glazier feels that people living close to the Landfill should be notified that this is pending. Ms. Glazier stated she would like to see the Waste Authority increasing what they pay to the community as the rate they pay now was set years ago. Ms. Glazier talked about the Township’s practice of when the agenda and minutes of the previous meeting are available. She would like to see the minutes and agenda be available to view earlier than what they are currently made available. Mr. Strohecker advised if someone wants a draft copy of the minutes he would be more than happy to provide that to them. Mr. Strohecker stated the agenda is on the web site Monday morning with the entire packet that anyone can review.

Leslie Osborne, 109 Oak Road, referred to past information on the Waste Authority listing some specific comments or statements that were made by the Authority stating out of County garbage is being brought to the Landfill. Ms. Osborne talked about the residual waste stating the more capacity the Authority has the more residual waste will be brought in. Ms. Osborne talked about the material that is brought in for the protective layer and daily cover at the Landfill. Ms. Osborne made comments on the Agreement Modifications.

New Business

Resolution 4-2015 Meeting Dates – Mr. Breneman made a motion to approve Resolution 4-2015 Meeting Dates. Mr. Wenzel seconded the motion and the motion carried unanimously.

Resolution 5-2015 Bank Depositories – Mr. Mann made a motion to approve Resolution 5-2015 Bank Depositories as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Resolution 6-2015 Police Pension – Mr. Wenzel made a motion to approve Resolution 6-2015 Police Pension. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 7-2015 Sewage Enforcement – Mr. Clark stated this also establishes sewage permit fees for the year. Mr. Breneman made a motion to approve Resolution 7-2015. Ms. Green seconded the motion and the motion carried unanimously.

Proposed Rezoning of Penn Manor School District at Temple Ave and Millersville Rd – Mr. Clark stated this is not an action item tonight. This will be passed on to the Manor Township Planning Commission and LCPC. Ms. Amber made a motion acknowledging receipt of the proposed rezoning. Mr. Mann seconded the motion and the motion carried unanimously.

Penn Manor School District Letter of Credit Reduction – Ms. Green made a motion to release the full amount of the Letter of Credit for the Penn Manor School District. Mr. Wenzel seconded the motion and the motion carried unanimously.

Manor Oaks Remaining Lands Section 3 Letter of Credit Release – Mr. Breneman made a

motion to approve the Letter of Credit release for Manor Oaks remaining lands Section 3. Mr. Wenzel seconded the motion and the motion carried with Ms. Green abstaining.

Lancaster Home Builders Letter of Credit Reduction – Mr. Strohecker stated on this Letter of Credit the Board has been asked to release \$10,908.23 that brings the Letter of Credit down to \$2,112. Mr. Wenzel made a motion to reduce the Lancaster Home Builders Letter of Credit by \$10,908.23 down to \$2,112. Mr. Mann seconded the motion and the motion carried unanimously.

Manor Township Planning Commission Annual Report – Mr. Clark stated he would like to publicly thank the Planning Commission for their time and effort they put in reviewing the plans that come before them. Mr. Mann made a motion to approve the Annual Report as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Request to Purchase Two Police Vehicles – Mr. Clark stated this was something that was budgeted. Ms. Amber made a motion to approve the purchase of two Police vehicles. Mr. Mann seconded the motion. Chief Graeff advised he was also asking for permission to join the Central Westmoreland Council of Government as an associate member. Mr. Clark amended the motion stating the motion is for the purchase of the Police vehicles and included is membership to CWOCOG to bid for the vehicles. Mr. Clark called for the vote and the motion carried unanimously.

Request to Purchase FOB Access System – Mr. Clark advised this was in the budget. Mr. Breneman made a motion to approve the purchase of FOB Access System. Ms. Green seconded the motion and the motion carried unanimously.

Correspondence

PSATS Annual Educational Conference, 2015 PELRAS Conference and 2015 APMM Executive Development Conference - Mr. Mann made a motion to allow the appropriate individuals attend the PSATS Conference, 2015 PELRAS Conference and 2015 APMM Executive Development Conference, Emergency Management Training Conference, and the Police Supervisors Training. Mr. Breneman seconded the motion and the motion carried unanimously.

Reports

Traffic Commission did not meet in December.

Police Report – No additions.

Public Works Director Report – Mr. Harris reminded the Board of their emphasis on protecting the waters of the Commonwealth. Mr. Harris stated he had a Chesapeake Bay Foundation report today that gave the efforts a “D+”. The good news is the rating has not fallen. Mr. Harris stated they are in the process of GPS all the storm water inlets and working with Rettew to map them.

Township Manager’s Report – Mr. Strohecker stated they are in transition and it is going smoothly.

Building Permit Report – No additions.

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

Mr. Strohecker stated he, Mr. Harris, and Chief Graeff were going tomorrow to the training at Millersville University on Writing Good Job Description.

Mr. Clark stated at this time they would be going into an Executive Session to discuss a personnel matter. The Board went into the Executive Session at 7:45 p.m.
The Board returned from their Executive Session at 8:09 p.m. and the meeting was adjourned.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, February 2, 2015

Time: 7:00 P.M.

Vice Chairman Jay Breneman called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Monday, February 2, 2015 at 7:00 p.m. Vice Chairman Breneman introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Breneman, John Wenzel, Amber Green and George Mann
Member Absent: Brandon Clark
Staff Present: Ryan Strohecker, Mark Harris, Evelyn Rineer
Visitors: Tom Acker, 212 Post Oak Rd
Ted Gingrich, 110 Bent Tree Dr
Mary Glazier, 269 Chestnut Grove Rd
Alex Egner, 223 Millersville Rd
Leslie Osborne, 109 Oak Rd
Jim Warner, LCSWMA
Christine Brubaker, 22 Birch Ct.
Elaine Jones, LNP

Minutes – Mr. Wenzel made a motion to approve the January 5, 2015 minutes as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

Financial Report and Accounts Payable – Ms. Green made a motion to approve the Financial Report and Accounts Payable as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

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

Business from the Floor

Christine Brubaker, 22 Birch Court, talked articles from 2010, 2012 and 2013 pertaining to the Turkey Hill Warehouse and waivers that were granted. Ms. Brubaker asked about the negotiations with Turkey Hill regarding the lighting. Mr. Strohecker stated they have met with Turkey Hill regarding the issue and were advised Turkey Hill has already begun the process of hiring a consultant to measure the amount of light leaving the property. After Turkey Hill receives the report from the consultant, they would be making some changes. Mr. Strohecker advised that he and Mr. Ebersole were satisfied to allow them to make an effort to reduce the amount of light coming off the property. Mr. Strohecker noted that Turkey Hill has been very receptive to not only the Township talking with them but extremely receptive in talking with the neighbors. Turkey Hill indicated they are logging the complaints they are receiving and intend to follow up with each complaint advising of what they are doing to resolve the problem.

Ms. Brubaker read from an article stating at the last meeting she asked the Board to do the following three things, write to LCPC with regard to indigenous heritage, write the Susquehanna Gateway with regard to the Caption John Smith Heritage efforts and consider appointing an EAC with representatives from Manor Township and Conestoga Township to quietly look at the historic sites existing in both Townships with regard to all the historic materials she had supplied. Ms. Brubaker asked for an update on the requests she had made. Mr. Strohecker stated there have been some informal discussions based on Ms. Brubaker's three request but that is as far as it went. Ms. Brubaker asked them to consider her requests.

Mary Glazier, 269 Chestnut Grove Road, talked about the brightness of the lights at the Turkey Hill Warehouse indicating it is not quite as bad as it was, but they are still very bright lights. There are still issues. Ms. Glazier talked about dark skies understanding that there is a need for some lighting. She suggested the possibility that motion sensor lights would help the situation. Ms. Glazier referred to Ms. Brubaker's concerns stating Williams's plans to develop the pipeline in Manor Township and under the obligation of remediating any damage or disruption they might create in historic and culture resources now is a good time for the Township to position themselves to be ready to know what would they want them to do. Ms. Glazier encourages the Supervisors to take some steps to become better informed, more engaged or ask staff to step up because they will be positioned to assist and maybe do things the Township could not have done without the resources of Williams. Ms. Glazier stated on behalf of those who love Manor Township and appreciate its rich historical roots and want to make sure they are preserved that maybe this is an opportunity with the pipeline to see there is greater preservation efforts and more awareness.

Old Business

LCSWMA Agreement Modification – Mr. Strohecker stated tonight the Supervisors are being asked to consider an Amendment to the April 2002 Agreement between LCSWMA and Manor Township. Essentially this Agreement adds a 2% escalator beginning in 2015 to the April 2002 Agreement. Over the 20 year period of the amended agreement Manor Township will receive a minimum of an additional 4.7 and some change million dollars in host fees. The work to come to this agreement began back in February of 2014 when LCSWMA first approached and discussed their amendment proposal with Representatives of PALE. Negotiations occurred over the following months and was concluded on January 13, 2015 with the Lancaster County Court of Common Pleas Order allowing for height expansion of the Frey Farm Landfill to 835 feet above sea level which is an additional 53 feet in height. The Order also requires the Waste

Authority to provide free waste collection in the spring and fall of each year for 174 residents along River Road, Chestnut Grove Road, Oak Road and Observation Road. At the same time the afore mentioned negotiations were going on in October of 2014 Supervisor Clark and Green, Barry Smith and Mr. Strohecker along with legal counsel were presented with a proposal by LCSWMA to amend the April 2002 Agreement to include the 2% escalator set to begin in 2015. At the December 24th Supervisors Meeting, Mr. Smith informed the Supervisors that a draft agreement was being written and would be presented for consideration at the January 5, 2015 Supervisor's Meeting. That draft was on the Agenda in January and given to the Supervisors for review. The advertising requirements for this amendment do not require the level of advertising for an ordinance or resolution, however, this amendment has been advertised in the newspaper as an agenda item on three separate days in the Lancaster Newspaper including this past Saturday and Sunday. The final draft along with the January 13th Court Order between LCSWMA and PALE have been given to the Supervisors. Attorney Matt Crème was present to answer questions.

Ms. Green asked Attorney Crème to look at No. 3 Expiration of this Amendment and referred to the wording "for any reason or no reason as shall automatically revert to this agreements terms as listed prior to the 2015 Amendment" stating she has no issue if LCSWMA cannot get permits, the government approvals or they cease to pursue this but having the language for any reason or no reason Ms. Amber would like Attorney Crème's input if that would be in the best interest of the Township. Attorney Crème stated the Agreement calls for the immediate payment of the increased Host Fee. It doesn't postpone the beginning of those payments until the Authority has actually implemented the vertical expansion that motivates the Amendment. This provision addresses three circumstances. It provides for the ultimate expiration in 2034 and then earlier possible terminations one in the event that the Authority does not get all of the permits necessary to implement the expansion and the other the Authority decides to abandon its efforts to get all of the permits required for the expansion. Other than the ultimate expiration the other two provisions that provide for the possible earlier termination are both under circumstances where the expansion has never been implemented because the expansion has never been fully permitted. In the one case, it is a clear line the Authority has been denied their permits. In the other case, it is not quite the same clear line it would a circumstance where the Authority for whatever reason, or no reason decides to abandon its efforts to obtain all of the necessary permits. Attorney Crème stated he reads the language for any reason or no reason to be the same sentiment as in the second line where it provides that this notice to terminate would be in the sole discretion of the Authority. This type of provision is fairly common in situations where duties begin before all of the permitting is acquired and it gives the agency or party with the duty the opportunity to terminate the duty if for whatever reason it does not get its permits or chooses not to get its permits. Attorney Crème stated he believes this is in the interest of the Township, because the only circumstances under which this agreement will terminate is if it runs its full course or if the vertical expansion is never implemented for whatever reason. In the meanwhile, the payments will be made and those payments made until termination are not refundable. Attorney Crème stated one could look at this as the whole point of a host fee is to attempt to mitigate the impact of the landfill the Township is getting the payments before the impact and is not required to refund in the event the impact never occurs. Ms. Green stated basically the vertical expansion goes through permits are good the only way this agreement will expire is December 31, 2034. Attorney Crème stated at that point once the permits are issued and the expansion is implemented it only terminates because it runs out. Mr. Wenzel stated prior to that

the only reason prior to permits being issued is if for some reason they decide to abandon it and Attorney Crème stated Mr. Wenzel was correct. Attorney Crème advised in the passage of time it is less desirable as time goes on, not worth the investment, whatever, it give the Authority the opportunity to make a business decision in its sole discretion.

Mr. Wenzel made a motion to accept the LCSWMA Agreement Modification. Mr. Mann seconded the motion.

Mary Glazier also had concerns with Paragraph 3 in the Agreement. Ms. Glazier is still concerned with some of the wording but the agreement between the Township and the Waste Authority has been in effect since 2002. Ms. Glazier stated that the passage of time with the exception of special provisions of money paid for particular favors the Township has given the Waste Authority in terms taken extra waste from train track relocations, extending its hours, etc. to accommodate them there has been no cost of living increase, no escalator in this agreement and it would seem now would be a good time to do that. Ms. Glazier referred to an agreement between Conoy Township and the Waste Authority. Ms. Glazier would like the 1.2% continue or at least stop at the amount that is being paid at the time. Ms. Glazier feels the increase or some other figure that could be negotiated should be part of the recognition that everything is more expensive than it was when this agreement was settled. There will continue to be expenses, there will be a burden on the Township and the people living in the vicinity of the Waste Authority and they are going to reap a tremendous increase in capacity and benefit from that. The Township will not benefit from it unless this is made part of their ongoing relationship with the Township. Ms. Glazier feels this agreement should not be tied to the vertical expansion and should continue beyond the vertical expansion. Mr. Strohecker advised when these Host Fees come into effect there are increments that has gone up through the years since the 2002 Agreement has occurred. The benefit the Township got in 2002 is the Authority has given the Township a minimum and a maximum since 2002 of that million dollars. While that one dollar may have started out in 2002 and escalated over time and got the Township to not quite to the million yet during that time the Township has still been getting fees that gap has been covered because the Township gets that minimum of a million dollars. Mr. Strohecker stated there is an escalator already built in but the minimum is what is helping bump them up. Mr. Strohecker stated being that they are starting at a million dollars and getting the 2% escalator going forward by Mr. Strohecker's calculations that puts the Township further ahead. Regarding the language, Mr. Strohecker stated there has been discussions and during the course of the discussions that dated back to October 2014 so long as the language is achieving the Township goal Mr. Strohecker reads it as to what originally was agreed to in discussions with Supervisors Green and Clark basically saying at its core if something does not go through with this expansion the Township would be foregoing that 2% and revert back to the million dollars.

Christine Brubaker talked about a 2010 newspaper article regarding a rezoning. She referred to changing rural to industrial zoning and asked the Supervisors that as the Township progresses how much more rezoning have they thought about and where are they headed since the Comprehensive Plan in 2002.

Leslie Osborne, 109 Oak Road, disagreed with Mr. Strohecker's statement being ahead of the game. When they changed the agreement in 2002 the Township was being underpaid. The Township is receiving the waste from Lancaster County, out of County and now Harrisburg so she does not feel they are ahead of the game. The million dollars was deserved and not ahead of the game at that point and as of 2014 percentage of 26.92 of the waste that came into the landfill was out of County.

Mr. Breneman called for the vote. The motion carried unanimously.

New Business

On-Lot Septic Enforcement for 2014 – Mr. Strohecker stated they are looking at the on-lot systems that have been non-compliant for 2014. If the Supervisors are willing, the enforcement process will begin by sending out letters to the individuals to continue to get compliance with the Ordinance and follow the same process as last year. Mr. Mann made a motion to allow Management to proceed with on-lot septic enforcement for 2014. Ms. Green seconded the motion and the motion carried unanimously.

Bid for Caterpillar Wheel Loader – Mr. Strohecker noted they received the following five bids: William Deihm at 28,900., Mike Veneziano at 30,105., John Hovenstine at 41,000.01., Harold Barley at \$46,250., and the high bidder was Shertzer Equipment Group at \$47,000. Mr. Strohecker recommends permission to sell the wheel loader to Shertzer Equipment Group for \$47,000. Ms. Green made a motion to sell the wheel loader to Shertzer Equipment Groups for \$47,000. Mr. Wenzel seconded the motion and the motion carried unanimously.

Correspondence

Mr. Breneman advised there are requests to attend conferences, MS4 Training and Magloclen Training. Ms. Green made a motion to allow the appropriate people to attend the conferences and training. Mr. Wenzel seconded the motion and the motion carried unanimously.

Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report, LIMC Update, Blue Rock Fire Rescue Update, Building Permit Report

Traffic Commission – Traffic Commission met for re-organization.

Public Works Director Report – Mr. Strohecker advised he received an e-mail from a Police Officer who was very complimentary of the Public Works Department responsiveness concerning unsafe road conditions.

LIMC Update – Ms. Green advised District Attorney Steadman, Commissioner Martin and Ms. Green hosted a forum for LIMC Municipal Managers and Supervisors and was joined by Mr. Egner. They began to talk about regionalization of police services. Ms. Brubaker asked Ms. Green if there has been any discussion about reactivating the Park & Open Space Advisory Board that was disbanded. Ms. Green stated there has not been any discussion but will bring it up and report back to Ms. Brubaker.

Blue Rock Fire Rescue Update - Mr. Breneman advised they are continuing to take in new members. Mr. Wenzel stated he has been on the Board for a year and the fire department is such an important part of the community. He is impressed at the motivation and enthusiasm and the fact that these people are so conscientious and really doing a good job. Ms. Glazier stated she is on the Manor Youth Aid Panel and a young person referred to them needs to do community service. She stated she hoped the youth could do the service with the Fire Company but she is having trouble getting someone to call her back. Mr. Breneman advised her he would have someone contact her. Ms. Green advised Ms. Glazier she may have a recommendation for her.

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

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

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, March 2, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, March 2, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes – Mr. Mann made a motion to approve the February 2, 2015 minutes as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

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

Solicitors Report – There was no Solicitors Report.

Business from the Floor

Josh Holland, 2576 Valley Drive, stated he and other residents on Valley Drive received parking tickets for not moving their vehicles in 48 hours. Mr. Holland stated he understands it is an Ordinance, however, he feels the Ordinance needs to be changed. Mr. Clark had questions for Mr. Holland and advised him he would look at the Ordinance and personally call Mr. Holland. Mr. Holland asked if he should let tickets go to court and Mr. Clark advised he pay the ticket. Mr. Brandon stated he did not know when the ticket is due but he will get back to Mr. Holland by Wednesday.

Ken Mumma, 2507 Valley Drive, commented on the parking tickets that were issued stating residents who lived there for years said they never had tickets issued. Mr. Mumma questioned why something is being enforced that has not been enforced for years. Mr. Strohecker stated

they are in a Public Comment period during which individuals are invited to come up and make their comments to the Board. There is a set of rules and regulations for those comments. One thing they do not have is questions being addressed to the Board. It is up to the Supervisors whether they take the questions or not. They are here to hear what the public has to say and if there are questions they can be dealt with at a different time or however the Supervisors choose to handle the questions. Mr. Strohecker stated this is a business meeting.

Old Business

Hambright Elementary Zoning Changes – Mr. Strohecker stated there will be a public hearing at the April meeting for the zoning change for the Hambright Elementary School.

Cosentino Subdivision – Mr. Strohecker stated the Board took action at the April 2012 meeting. There has been a lag time and it has now come before the Supervisors to finalize some of the actions that need to be taken. Caroline Hoffer with Dr. Cosentino were present to address the plan. Ms. Hoffer

stated this plan was approved as a conditional final approval. There was a delay in satisfying some of the items of which one of the public improvements was actually performed. All documents have been signed by the property owners. They will need to be signed by the Supervisors and LCPC for it to be recorded. The Storm Water Management Agreements and Deed of Dedication has been given to Mr. Ebersole along with the signed plan to be signed after which they will be recorded. There is a dedication of additional right-of-way along Oak Road that will be on the Supervisor's April agenda. That Deed of Dedication has been signed and is part of the packet given to Mr. Ebersole. That will not be recorded until a Resolution is formally adopted accepting the additional right-of-way which does not hold off the recording of the plan as the plan identifies that additional right-of-way is proposed for dedication to Manor Township and the deed has already been signed. A clean review letter has been received from Rettew Associates noting the outstanding items have been addressed. Mr. Breneman made a motion to accept the Storm Water Management Agreement. Mr. Wenzel seconded the motion and the motion carried unanimously.

New Business

Chesapeake Crab Connection Lot Add On – Mr. Strohecker stated that at the February 9 Planning Commission meeting there was not a quorum and there were two plans on the agenda. Mr. Strohecker stated that in trying to work with the applicants, Mr. Ebersole contacted the Planning Commission members who were not at the meeting as to whether they had any concerns or comments and if it was acceptable to them to move this onto the Supervisors. All the Planning Commission members were comfortable with moving forward with this plan. Mr. Strohecker stated in no way do they want to set a precedence for bypassing the Planning Commission but this particular situation was a unique situation. There was some timing elements involved which is why they were bringing it to the Supervisors without a formal Planning Commission recommendation. Todd Shoaf with Pioneer Management presented the plan. Mr. Shoaf stated they are looking to subdivide approximately 2,500 square feet from one parcel and add it to the Chesapeake Crab existing lot that would allow them to meet the rear yard setback criteria for a building expansion. This project was before the Township in 2012 at which point in time the project stalled. Since that time, a new project came through the Township that was ultimately approved for a warehouse. The purpose for the warehouse was to move a large portion of the Chesapeake Crab business to the warehouse. They currently sell

seafood via the internet. To build the proposed restaurant, they need to get the current business out of the existing facility and move it off site and then in turn can build the new restaurant. There is a new architect involved in the project and the building footprint has changed. After the lot add on plan and the sales agreement goes through, they would then pursue a new land development plan with a new building footprint and would again come in front of the Township going through the process once again. This is the first step to move forward in continuing the project from 2012. Initially, four modifications were requested and the Township Engineer recommended approval of the four modifications. The Planning Commission members at the time took no issue with those modifications. There were five Township Engineer comments four of which were house cleaning items. The one was to join the two existing Chesapeake Crab lots in common. Since the time of the Planning Commission meet they revised the plans to show the two lots being joined in common, resubmitted and now in turn have four outstanding comments from Rettew review letter #2 which are essentially house cleaning items. They are requesting two additional modifications and one is to not go through the briefing item process and the second is for the Supervisors to act on the plan without the Planning Commission's formal recommendation. Mr. Mann made a motion to approve the requested modifications based upon Rettew review letter dated February 23, 2015. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr.

Breneman made a motion to conditionally approve the plan based Rettew review letter. Mr. Mann seconded the motion and the motion carried unanimously.

Barley Farms, LP Escrow Release - Mr. Strohecker stated all conditions have been met and ask that the Supervisors release the amount totaling \$11,793 plus interest back to Mr. Barley. Mr. Wenzel made a motion to release the escrow amount of \$11,793 plus interest back to Mr. Barley. Mr. Mann seconded the motion and the motion carried unanimously.

Proposed Frey Farm Vertical Expansion Correspondence Letter - Mr. Strohecker stated this letter was provided as a result of LCSWMA formally filing with DEP to expand their permit. These are standard letters that have been reviewed by the Solicitor. The Application is in the Township Office for review.

Leslie Osborne, 109 Oak Road, referred to the letter noting the comment of the 60 day public comment the Township has to add restrictions, approve or deny their permit stating they are 30 days into that already because of the day of the letter. Ms. Osborne referred to another page that was asking for a volume increase. Ms. Osborne asked that the Supervisors ask not to approve an increase in the daily tonnage.

Mary Glazier, 269 Chestnut Grove Road, stated she wanted to second Ms. Osborne's points in terms of imposing a burden on the Township and it is not a benefit to the community or to us to have the increased capacity.

MS4 Training for the Public – Mr. Strohecker stated the termination date for the current MS4 permit is coming due March 10th. Public education regarding storm water and the correct disposal of it is important in the Township. One thing the Township will be pursuing this year, will be a guide that will be sent out to either targeted groups, people or a bulk mailer as part of the newsletter educating the public on proper ways to dispose of storm water making sure it is contained and inlets are cleaned out and informing them of the various things the Township does to inspect the inlets, outfalls, etc. The Township is happy to answer any questions in regards to storm water. Mr. Strohecker noted any plans that come to the Township are going through storm water projects that can at times be very costly. The Township wants to keep everyone

educated with what is occurring. Mr. Harris stated in the upcoming Newsletter there is an article that specifically talks about homeowners and what they can and cannot do and how they can use better practices so that even when washing your car that does not go into the storm drains that leads to the Waters of the Commonwealth. Mr. Wenzel asked how the residents will be selected to receive the publication. Mr. Strohecker stated they had talked about sending to Homeowner's Associations and private residents with storm water basins on their property and need to know how to maintain it as well as individuals near waterways.

Correspondence

Administration – GFOA Annual Conference, LCATS, Customer Service Conference 2015 – Mr. Mann made a motion to allow the appropriate people attend the conferences. Mr. Breneman seconded the motion and the motion carried unanimously.

Police Department – PSU Justice & Safety Institute Field Training Officer Program, Digital Photography Class – Mr. Breneman made a motion to approve the two training requests as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Reports

Traffic Commission (did not meet), Police Report, Public Works Director Report, Township Manager's Report, LIMC Report, Blue Rock Fire Rescue Report, Building Permit Report –

Mr. Breneman stated at the last BRFR meeting voted as a District Board to transfer the property on Rt. 999 to the Township.

Mr. Strohecker stated he added a letter from the Drug Task Force updating the Supervisors on their yearly statistics.

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

At 7:35 p.m. the Supervisors and Mr. Strohecker went into an Executive Session to discuss a personnel issue. At 7:55 p.m. the Supervisors returned from the Executive Session and the meeting was adjourned.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, April 6, 2015

Time: 7:00 P.M.

A. Call to Order

- a. Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, April 6, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Staff Present: Ryan Strohecker, Mark Harris, Chief Todd Graeff, Nick Ebersole and Kelly Clemens

Visitors: See Attached List

B. Approve the Minutes

- a. Mr. Mann made a motion to approve the March 2, 2015 minutes as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

C. Approve the Financial Report and Accounts Payable

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

D. Solicitors Report

- a. There was no Solicitors Report.

E. Public Comment

Christine Brubaker, 22 Birch Court, thanked the board for their recent land transfer. Ms. Brubaker is an ongoing member of the Little Conestoga Watershed Association and they are on record with FERC being concerned with water crossings. It is her understanding that if the pipeline goes through, Witmer Run and Indian Run will be affected and she hopes the board will be on top of it. She also asked that the Board continues to explore the possibility of appointing an Environmental Advisory Council. Ms. Brubaker expressed that Manor Township has a lot of heritage here, but we haven't addressed or acted on it and haven't been proactive.

Josh Holland, 2576 Valley Drive, had concerns regarding Ordinance 46B which pertains to not parking on any public road in Manor Township for more than 48 hours. He asked the Board to consider making changes to the ordinance. He suggested that wording needs to be added to the ordinance if pertaining to a nuisance vehicle or snow event. Mr. Clark stated he has Mr. Holland's input for the change. Mr. Clark's biggest concern is he isn't going to change an ordinance just to change it to appease to a couple tickets that were issued. However, if someone wants to look at getting it changed, Mr. Clark wants to have some kind of alternative. Mr. Clark then stated that Mr. Holland has provided that and has given something for the board to consider thinking about. Mr. Strohecker suggested Manor Township put something in their fall newsletter about the ordinance. Mr. Graeff stated that this particular ordinance has been in effect for 30 years and that he has been with Manor Township for 8 years and this is the first year there has been an uproar about it. He stated the Manor Township Police Department does ticket each year in regards to the ordinance.

Penn Glazier, 269 Chestnut Grove Road, stated that he previously sent a letter expressing some of his concerns about the upcoming and anticipated request for expansion of daily tonnage

by the waste authority at the landfill. Mr. Glazier expressed that the permit increase would be significantly higher than it is today and that the worst case scenario could result in approximately 3 times the daily volume. He said he can't think of any benefits it would bring to Manor Township. He respectfully asked that the Board give careful consideration to expressing opposition to any increase in tonnage. Mr. Clark stated that the Authority is having a meeting for local elected officials of affected townships on April 21st and that Manor Township will have 2-3 representatives from the board to attend that meeting. Mr. Clark has been told through DEP that there will be a minimum of 2-3 meetings for the public to provide input as well. Mr. Clark encouraged Mr. Glazier and whomever else might be interested to attend the public meetings. He stated that it is important that the voice of Manor Township residents be heard. He understands that Mr. Glazier wants the Board's voice to be heard, but before that is done, the Board wants to make sure they have all the facts before they take a position, whether it be on the pipeline or the authority's request.

Robin Maguire, 36 Sandhill Road in Conestoga, stated that the community banded together and actually protected some of Manor Township's resources from the pipeline. She specifically stated that they protected Chief's Hill and she was imploring that the Manor Township Board now please protect it from the owner.

Mary Glazier, 269 Chestnut Grove Road, stated that the meeting on April 21st was a DEP meeting rather than a waste authority meeting. It is DEP's effort to get input from supervisors and other municipal officials. She also stated that Manor Township's role at that meeting is extremely important and that they need to be questioning DEP about what it is that they are expecting of the Waste Authority and getting information from them rather than Mr. Warner.

F. Old Business

a. OLDS Enforcement

- i.** Mr. Strohecker stated that enforcement will be taken in April for those who are non-complaint with on-lot systems. Mr. Strohecker has provided the Board with a list of those non-compliant properties from 2014. Mr. Wenzel asked how Manor Township communicated with these properties. Mr. Strohecker stated that Manor Township mailed 3 notifications out in January, July and December of 2014 and then sent properties a letter at the end of February that they needed to get pumped out by March 31st. There are currently about 9 non-compliant properties. Ms. Green stated that as far as communication goes, she believes Manor Township did their part and applauded the staff on reducing it the way that they did.

b. Safe Harbor Trestle Bridge Bid

- i.** Because of the size of the project, Mr. Strohecker wanted to inform the Board that Manor Township did receive bid results and they were opened Monday, April 6th. There were two bidders on the project and they came in quite a bit higher than what he had anticipated, so just by way of information he wanted to let the Board know that Manor Township is going back to the drawing board and taking a look at the engineering specs that were done. Manor Township wants to get that down to what was budgeted.

G. New Business

a. Hambright Elementary Zoning Change

letter. Mr. Breneman seconded the motion and the motion carried unanimously.

iii. Storm Water Agreements

1. Mr. Strohecker stated that this was an informational piece and that the Board was in receipt of the agreements. Mr. Strohecker will take care of signing them, but wanted to make the board aware of it. Will go through Tom Goodman as well just to make sure everything is to Manor Township's satisfaction, but Mr. Strohecker doesn't see any issues there.

d. Escalator Clause

- i. Action Item- Mr. Mann made a motion to approve the escalator clause based on PENNDOT specifications for 2015. Ms. Green seconded the motion and the motion carried unanimously.

e. Materials and Resurfacing Projects Bid Results

- i. These bids were opened that day and Mr. Strohecker provided the board with those results with the lowest bidders coming in on the highlighted amounts. The following were the lowest bidders: Material – Superpave is Highway Materials, 2A Stone is County Line Quarry, In Place Paving is Highway Materials, Seal Coat is Stewart & Tate and the Seal Coat for the Parking Lot is Stewart & Tate. Mr. Breneman made a motion to award the bid to the highlighted bidders for 2015 materials. Mr. Mann seconded the motion and the motion carried unanimously.

f. Ratification of Hire

- i. Manor Township Supervisors had an executive session to discuss bringing on Joanne Reiner as a full-time employee and since then has done so. Mr. Strohecker asked the Board for ratification of the hire. Mr. Breneman made a motion to extend full-time employment to Ms. Reiner. Ms. Green seconded the motion and it carried unanimously.

g. SERT Team Hostage Negotiator

- i. Ms. Green made a motion to approve Officer Colleen Tatara to join the SERT team as a Hostage Negotiator. Mr. Wenzel seconded the motion and the motion carried unanimously.

h. Request to Purchase Video Recording System

- i. Mr. Breneman stated that the request was \$800 more than what was budgeted and asked if this included installation. Chief Graeff confirmed that it did. Mr. Breneman made a motion to approve the request to purchase a Video Recording System. Mr. Mann seconded the motion and the motion carried unanimously.

H. Correspondence

a. Administration

b. Public Works

c. Police Department

- i. First Line Supervision "Mastering Leadership Skills"
- ii. DUI Awareness Conference
- iii. Holiday Ride
- iv. IMPBA Police Cyclist Course

1. Mr. Mann made a motion to allow the appropriate individuals as presented to them to attend the conferences and the Holiday Ride. Ms. Green seconded the motion and the motion carried unanimously.

I. Traffic Commission –

- a. Did not meet this month.

J. Police Report

- a. Year-End Report

K. Public Works Director Report

L. Township Manager's Report

M. LIMC Report

- a. Ms. Green gave kudos to the people at Millersville University and also the LIMC committee for their cooperative partnership. They moved the LIMC offices from the County building to Millersville University forming a partnership. They have created a municipal training academy and have put student interns in many of the municipalities, which has won them the Governor's award for their efforts in these matters.

N. Blue Rock Fire Rescue Report

- a. Mr. Breneman was approved by Blue Rock Fire Rescue's Board to be an authorized signer.

O. Building Permit Report

- a. Ms. Green made a motion to approve the reports as they had been submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

P. Adjourn

- a. At 7:52 p.m. Mr. Clark adjourned the meeting.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Kelly Clemens

Manor Township Supervisors Meeting

Monday, May 4, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, May 4, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

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

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

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

Public Comment

John May, 100 Red Fox Road, talked about a budget from August 2014 regarding the trestle bridge. Mr. May is curious if there are any pending grant applications and suggested the Board open to the public for contributions especially Lancaster County Businesses. Mr. May stated he knew the Township was in negotiations with LCSWMA regarding tipping fees as well as PALE. Mr. May is not sure the deal the Township received was the best deal the Township could have gotten. Mr. May stated there is an opening to receive more money from LCSWMA as they probably did not reveal to the Township that they are increasing the average daily tonnage permitted and the maximum daily tonnage. Mr. May listed areas that waste comes from stating the Township should be able to participate in some of those revenues.

Randy Kreider, 3351 Charlestown Road, stated the Township worked with him on building poultry barns and they are going well. Mr. Kreider did not feel his project had to go through land development and after talking to the State it did not seem like land development had to be mandated. Mr. Kreider stated his barns have a dirt floor, is not high traffic or a big operation. Mr. Kreider stated there was additional expense of \$12,000 – \$15,000 to go through land development as well as extra meetings. Mr. Clark stated during work sessions they talk about these type of issues and they are trying to find more efficient ways to operate. Mr. Strohecker stated in the work session in January multiple issues had come up that the Supervisors wanted to see changed so in the coming months the Staff will be presenting up dates to the Zoning Ordinance which covers a multitude of things that have come up through the years. In response to Mr. Kreider’s observation, one of the aspects of those changes is to give the Board of Supervisors an exemption for any land development project that would be in the agricultural zone. Unfortunately, this will not help Mr. Kreider but in the future projects like Mr. Kreider’s could be exempt by the Board of Supervisors. Ms. Green thanked Mr. Kreider for bringing the situation to their attention.

Christine Brubaker, 22 Birch Court, stated her purpose basically is to remind the Supervisors and send this information to the Planning Commission as that is the next step for where this group is headed. Ms. Brubaker talked about a “No Name” group that is meeting at the Conestoga Historical Society that is a non-pipeline group. Ms. Brubaker stated the group is a pro heritage group and read a list of discussions for the group. Their meeting is May 7 at 3:00 p.m. Ms. Brubaker stated she is in the process of becoming a Colonial Dame with headquarters in Philadelphia. Ms. Brubaker listed things planning commissions could do for historic

preservation. Ms. Brubaker also listed organizations/groups that could be of help and meetings she attends.

Sue Sheeler, 101 Langley Square, President of the Woods Edge Homeowners Association Community located between Stone Creek Road and South Centerville Road. Ms. Sheeler talked about taking over the ponds, walking path and the dam. Ms. Sheeler received estimates to macadam the walking path and was asking the Township to do the section that belongs to the Township. Ms. Sheeler provided the Supervisors with photographs of the walking path. Mr. Strohecker advised that he and Mr. Harris responded to Ms. Sheeler through e-mail that they acknowledge the crack in the walking path. They assured Ms. Sheeler that when the Township crews are in the area they will take a look at the crack and do something about it. Mr. Clark advised Ms. Sheeler he would personally call her tomorrow after talking to Staff. Ms. Sheeler stated they are looking for a coating of macadam on the Township portion.

Mary Glazier, 269 Chestnut Grove Road, talked about a letter she received from LCSWMA regarding spring waste collection event they are holding. Ms. Glazier stated this goes back to negotiations between PALE and LCSWMA over the vertical expansion. PALE's original proposal to LCSWMA was that they pick up two times a year along River Road from Columbia Border to Safe Harbor Park whatever waste LCSWMA can legally accept. They ended up with they are going from Washington Boro Park to Safe Harbor Park including several other roads and only picking up municipal waste not appliances, tires., etc., not some of things difficult to get rid of. Ms. Glazier talked about LCSWMA desire for increased capacity and in order for LCSWMA to do that they should be giving the Township something more significant. Ms. Glazier stated PALE and the Township has entered into an agreement with LCSWMA based on a set of facts and all of a sudden there is a new set of facts. Ms. Glazier believes LCSWMA could be more generous with their tipping fees and now they want more they should be more generous.

Leslie Osborne, 109 Oak Road, thanked the Supervisors and Mr. Strohecker for attending the meeting at the Reiber House. Ms. Osborne stated the extra that LCSWMA is requesting is not that they need it but they want it. Ms. Osborne stated what LCSWMA says is not supported by their documents.

Christine Brubaker appreciated the work that has gone into conversations regarding LCSWMA but it was never mentioned or defined that it is an Authority not an independent entrepreneur business. When people are asking for more interventions from Manor Township, they should be asking the same from Lancaster County Commissioners. Ms. Brubaker urges Manor Township to work more closely with Lancaster County Commissioners to get what they want for the Township and not to forget this is an Authority.

Other Business

LCSWMA Update – Mr. Clark stated there was a 493 Day DEP Time Table which actually equates to 720 calendar days. There was an elected officials meeting and the next meeting to take place will be a meeting with the public. Mr. Strohecker stated he just received notification from DEP that they have reviewed the application and it is complete so this time table will start. Mr. Strohecker advised he received a call from DEP who is in the process of setting up the next public meeting and the public hearing. Those dates have not been set to date.

Safe Harbor Trestle Bridge – Mr. Strohecker mentioned they had budgeted some money for this year to put towards base repair of the bridge. Mr. Strohecker advised that the bids were received and were significantly higher than anticipated. Mr. Strohecker is asking for the

Supervisors concurrence to be able to move forward with the project in the budgeted amount of money. Mr. Strohecker stated in this situation they need some latitude to make some decisions and calls on what becomes a priority for this year and fits in line with the budget. Mr. Clark stated personally he has no problem extending the latitude requested. Mr. Clark stated he believes there is a brochure being put together. Mr. Strohecker wanted to respond to Mr. May's comments stating there are several pending grants waiting to receive checks for or in the process of applying for. Mr. Strohecker stated Mr. May has spoken about a donor he is aware of that would be willing to provide money towards the bridge and as a result of that they wanted to come up with a marketing campaign that can be shared with businesses. That brochure is completed and is in the process of being printed. Mr. Wenzel had questions on the vast differences in the bids and the figures from the engineering firm. Mr. Strohecker stated this is a complicated project. Mr. Harris advised the recommendation was from Rettew and he questioned some of the applications. Mr. Harris stated the most vital thing was the tie rods that go around the piers that is part of the list. Mr. Harris explained what occurs during the process of inspecting the tie rods and the risk involved that is some of the reasons the bids were so high. Mr. Harris stated they are looking at the priorities which is what they would like to take care of with the funds available. Mr. Strohecker stated the big issue this is coming in far over budget of what was prepared for this portion of the bridge. The bigger cost is the upper deck. They are looking at ways of reducing cost on that deck and open to the fact they may try to do the work themselves. Mr. Wenzel verified what they are asking for now is to have flexibility with budgeted dollars based on the Township's decision and what to do and when to do it asking if that is correct.

Conveyance of Property – 3000 Blue Rock Road – Mr. Clark stated this is the Blue Rock Fire District Property. Mr. Wenzel made a motion to approve the transfer of the property. Ms. Green seconded the motion. Ms. Brubaker talked about when School Lane Hills was developed a piece was missed when the high density apartments went in for a connector trail behind Scheids and the apartments. Ms. Brubaker has always been in favor of acquiring this property but to get from this property to the hiking trail behind School Lane Hills there is a little piece of land missing. Ms. Brubaker asked the Board to take a look at it and figure out what they want to do. Ms. Brubaker asked they work with LASA so the public understands where they may park, fish, liability concerns, etc. Mr. Clark called for the vote. The motion carried with Mr. Breneman abstaining.

New Business

Isolation Distance Waiver – 288 Central Manor Rd. – Mr. Strohecker advised this is for information purposes.

Subdivision Deferral – 3705 Locust Grove Rd. – Mr. Strohecker advised the property being subdivided is mostly in West Hempfield with a small portion in Manor Township. Manor Township is being asked to defer to West Hempfield to take the lead on this project. Mr. Breneman made a motion to accept subdivision deferral. Ms. Green seconded the motion and the motion carried unanimously.

Bid Results for Office Building – Mr. Wenzel made a motion to award the bid for the office building repairs to Dutchman Contracting LLC in the amount of \$18,732. Mr. Mann seconded the motion and the motion carried unanimously.

2015 National Police Week Proclamation – Mr. Clark stated if passed this makes May 15 as Peace Officers Memorial Day paying respect to men in the line of duty. Mr. Clark read a

portion of the Proclamation. Ms. Green made a motion to make May 15 National Police Week Proclamation. Mr. Mann seconded the motion and the motion carried unanimously.

Correspondence

There was no correspondence.

Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report, LIMC Report, Blue Rock Fire Rescue Report, Building Permit Report
There was no Traffic Commission meeting in April.

Mr. Breneman stated they have approved an equipment replacement schedule for all BRFR Equipment.

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

At 7:55 p.m. Mr. Clark stated they were going into an Executive Session to discuss a personnel issue.

The Supervisors returned from their Executive Session at 8:23 p.m. and Mr. Clark stated he wanted to clarify that the Executive Session was to discuss a legal issue. The meeting was adjourned.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, June 1, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, June 1, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Staff Present: Ryan Strohecker, Mark Harris, Nick Ebersole, Chief Todd Graeff, and Evelyn Rineer

Visitors: See Attached List

Minutes – Mr. Breneman made a motion to approve the May 4, 2015 minutes as distributed. Ms. Green seconded the motion and the motion carried unanimously.

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

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

Public Comment

Steve Natur, 140 Walnut Hill Road, expressed his displeasure with the condition of the Funk property stating it is a blight on the community. Mr. Clark stated he would contact Mr. Natur after looking at the situation. Mr. Strohecker stated they are aware of the property going downhill and Mr. Ebersole has had conversations with the owner to do some clean up on the property. Mr. Strohecker advised there has been discussion and plans on the table to move forward with the project stating it is a short term problem. Mr. Strohecker advised they are addressing the blight issue on the property.

Christine Brubaker, 22 Birch Court, talked about a property on Monticello Lane that is accessed via the LASA Pumping Station and the degradation of the property with motorized vehicles. Letters have been sent but the action has not been stopped. Ms. Brubaker would like Manor Township to take action as it is a noise problem, EPA issue, and it is a bad neighbor policy. Ms. Brubaker informed the Supervisors she is attending a meeting in Quarryville looking into ordinances for heritage. Ms. Brubaker advised there is a meeting at the Conestoga Historical Society to review the possibilities of genuine improvements in heritage in the three townships. Ms. Brubaker talked about the Login Trading Post. Ms. Brubaker stated she attends the Little Conestoga Watershed meetings and talked about a project the Watershed is involved with. Ms. Brubaker asked that the Supervisors contact Land Studies and the Board of the Little Conestoga Watershed Association showing them the Supervisors support their project.

Mary Glazier, Chestnut Grove Road, stated Mr. Strohecker made a decision to no longer post the meeting packet that the Supervisors receive on the web site and asked if that was Mr. Strohecker's decision or a Supervisor decision. Mr. Clark stated Mr. Strohecker made a management decision and Mr. Clark stands behind that decision. Ms. Glazier stated the packet at one time was available before the meeting to look at, then it was posted on the web site the day of the meeting and now she feels the Township is moving in a backward direction. Mr. Strohecker advised Ms. Glazier he would e-mail the packet to her if she would like to view it and Ms. Glazier indicated she would want it every month. Ms. Glazier asked if it would be put on the web site if anyone wanted to see the materials that will be discussed to e-mail Mr. Strohecker. Ms. Glazier stated representatives of the media are concerned as well as this issue has come up with regard to other municipalities. Mr. Strohecker stated that Ms. Glazier has been the only person requesting the information. Mr. Strohecker stated the media did request the packet this month which was provided to them. Ms. Green feels it is a good point regarding the web site to indicate with a disclaimer the process to obtain the information. Mr. Strohecker explained the motivation behind the decision to no longer put the packet on the web site. Mr. Wenzel verified that anyone asking for the packet will be supplied with it. Mr. Strohecker stated there is a procedure and it works for everyone. Ms. Glazier commented that the Supervisors are spending people's money and the more sunshine from her prospective the better.

Ms. Glazier talked about the LCSWMA stating they told everyone they were accepting a certain amount of waste which is not true. She stated they are planning to accept and looking for more waste than they stated. Ms. Glazier would like the Supervisors to look at the agreement they entered into with the Waste Authority on a vertical expansion assuming facts the Waste Authority provided and now that set of numbers is not what the LCSWMA is looking for. Ms. Glazier stated she is not happy with the agreement that PALE made as they made the agreement with the same incorrect facts.

Leslie Osborne, 109 Oak Road, asked if the Supervisors would be able to give them an idea as to how they feel regarding the request for increased tonnage by the LCSWMA. Ms. Osborne feels the Supervisors' comments to DEP would have more weight than the individual resident. Ms. Osborne provided figures of tonnage that is projected to come to the Landfill. Mr. Strohecker stated the Township is reserving time at both the public meeting and the public hearing for the Supervisors to have individual or collective time for speaking at both meetings. Mr. Strohecker stated this is to be a learning experience for the municipality so while at the meetings they will hear input from the public the same way DEP is. Mr. Strohecker stated that the increase the Township is getting is not directly linked to the trestle bridge.

Old Business

LCSWMA Update – Mr. Strohecker stated notification was received from DEP that there is a public meeting set for June 17th and a public hearing set for July 28.

Safe Harbor Trestle Bridge Bid Results - Mr. Breneman made motion to award the bid to J. D. Eckman, Inc. limiting the scope of the work to the budgeted amounts. Mr. Mann seconded the motion and the motion carried unanimously.

New Business

New Assistant Zoning Officer – Mr. Wenzel made a motion to appoint Ryan Strohecker as Assistant Zoning Officer. Mr. Mann seconded the motion and the motion carried unanimously.

Woods Edge Revised Final Plan – Mr. Wenzel made a motion to conditionally approve the Woods Edge Revised Final Plan based upon the May 4, 2015 Rettew review letter. Ms. Green seconded the motion and the motion carried unanimously.

Sensenig Lot Add-On Briefing Item – The Supervisors received the Sensenig Lot Add-On Briefing Item that will be moved onto the Planning Commission.

Signature Development Realty Sketch Plan – David Miller from Rettew presented the plan. The plan is much the same that was presented to the Supervisors previously. They will ask for a waiver of preliminary plan and go straight to final plan. Mr. Miller gave a brief review of the plan indicating this is personal care/memory care facility with 80 units and up to 120 beds. The former Hambright Elementary School building will be demolished in its entirety. There will be two driveways into the site one driveway off Temple Avenue using the existing curb cut and a driveway off of Hawthorn across from Ursinus Avenue. The driveway off Temple Avenue and parking facility will be for visitors and the parking facility in the back will be for the staff which will be no more than 17 staff members on any shift. A review letter was received on the sketch plan from Buchart Horn with three comments. The plan showed to extend the existing sidewalk and bituminous sidewalk along Hawthorn but is willing to put in concrete sidewalk on the entire frontage. They are proposing a meandering concrete sidewalk along Millersville Road to preserve the trees. They are willing to replace the bituminous curbing on Temple Avenue with concrete. They would like to put concrete curb at the returns and then it ends. The Planning

Commission expressed concern with the location of the driveway off Temple Avenue that is an existing driveway. They looked at relocating the driveway further to the east but the configuration of the driveway would be very tight. They did a traffic observation and looked at ITE counts for this facility. During peak hour it will generate ten incoming and ten outgoing trips with most being off the staff driveway. Mr. Harris stated he preferred to see a concrete walkway and had some concerns regarding curbing as it pertained to storm water. There was discussion pertaining to the curbing, sidewalks and driveways.

Act 14 LASA Notification – Mr. Clark stated this is a standard notification for information purposes.

PP&L Permit Renewal Notification – Mr. Clark stated this is also a standard notification for information purposes.

Millersville Borough Waste Water Treatment Plant Permit Renewal Notification – The Supervisors acknowledge receipt of the notification.

Armstrong Application for Amendment to Zoning Map – Mr. Strohecker advised they are on record they paid the fee for the potential rezoning of two lots. The Supervisors have been notified of the application and it will be turned over to the Planning Commission to begin the process.

Resolution 8-15 Accepting Additional Right-of-Way Adjacent to Oak Road – Mr. Mann made a motion to approve Resolution 8-15. Mr. Breneman seconded the motion and the motion carried unanimously.

Deed of Dedication – Adjacent to Oak Road – Mr. Clark noted they are in receipt of the Deed of Dedication adjacent to Oak Road.

Discussion on Zoning Proposals – Mr. Strohecker advised he was contacted by Paul Fulmer who owns property at 3200, 3208 and 3212 Columbia Avenue as to the possibility of a text amendment in the MRC Zone allowing for hotels and auto repair garages and or rezoning the three properties currently in the MRC Zone to a zone that would allow for the uses he intend. Mr. Fulmer stated they have had the properties for a number of years looking to develop them. They continually get request for automotive repairs and/or sales on these properties as well as requests for possible use of the properties for a hotel site. The uses are consistent with what the expectation is along that stretch. Morgan Towing is down the street as a business on the corner of Donerville Road and Columbia Avenue that are both nonconforming uses under the current language of the MRC Zoning District. Mr. Fulmer stated the properties have been marketed for approximately ten years. The Supervisors advised they will take Mr. Fulmer's request under consideration.

Correspondence

There is two requests for training by the Police Department. Mr. Wenzel made a motion to approve the appropriate people to attend the training. Ms. Green seconded the motion and the motion carried unanimously.

Reports

Traffic Commission did not meet this month.

Police Report, Public Works Director Report, Township Manager's Report, LIMC Report, Blue Rock Fire Rescue Report, and Building Permit Report –

LIMC – Ms. Green stated they wanted to thank Mr. Strohecker and Staff for Manor Township for taking on the financial responsibilities of the LIMC.

BRFR – Mr. Strohecker stated Duane Hagelgans is going to Washington DC to testify before a Congressional Committee about the benefits of the work that had been done in Lancaster with BRFR. He is also going to speak before a Pennsylvania Committee about the adverse effect of the Worker’s Compensation Law that came up with the Fire Cancer Presumption Act.

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

At 8:07 p.m., Mr. Clark announced the Supervisors would be going into an Executive Session. At 8:43 p.m. the Supervisors returned from the Executive Session and the meeting was adjourned.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Supervisors Regular Meeting Minutes

July 6, 2015

Time: 7:00pm

A. Call to Order

- a. Vice Chairman Jay Breneman called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, July 6, 2015 at 7:00 p.m. Vice Chairman Breneman introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Amber Green, Jay Breneman and George Mann
Members Absent: Chairman Brandon Clark
Staff Present: Ryan Strohecker, Mark Harris and Kelly Clemens
Visitors: See Attached List

B. Approve the Previous Month Minutes

- a. Mr. Mann made a motion to approve the June 1, 2015 minutes as distributed. Ms. Green seconded the motion and the motion carried unanimously.

C. Approve the Financial Report and Accounts Payable

- a. Mr. Mann made a motion to approve the Financial Report and Accounts Payable as presented. Ms. Green seconded the motion and the motion carried unanimously.

D. Solicitors Report

- a. There was no Solicitor's Report.

E. Public Comment

- a. Ron Vogle, 131 Spring Meadow Lane (Letort Manor) said the water company and paving crew has told him they are done with their section of it now. Mr. Vogle asked what Manor Township's plan for paving the streets was and when is it going to start? Mark Harris said that Manor Township's road crew plans to do milling on July 16th and 17th and the plan is to move in the week of the 20th as it is expected to take 4 days to do all the Township's paving. Mr. Harris said everything should be completed by their contract by July 31st. Mr. Harris stated they are putting 2 inches of macadam on Spring Meadow and Carol Drive gets 2.5 inches as planned.
- b. Bob Boettger, 125 Spring Meadow Lane (Letort Manor) wanted to know if resident's driveways would be raised during the paving. Mr. Harris said that the Public Works Department will adjust them to meet the driveway but won't go back in resident's driveways and raise them. Mr. Harris said they will make a smooth transition from the road to resident's driveways.
- c. Mary Glazier, Chestnut Grove Road, said she was looking at Manor Township's website and noticed some information that shouldn't be displayed with the settings on some pages. Mr. Strohecker said Manor Township would look into getting that fixed. Ms. Glazier also asked if any of the Supervisors intended to make comments at the public hearing meeting because this is the opportunity to do that. Mr. Strohecker said he has reserved with DEP the ability for all 5 of the Supervisors to make comments and also himself. Ms. Glazier wanted to make the point that the Township's responsibility is to their residents. Said that she is counting on the Supervisors to advocate for and represent them.

F. Old Business

a. LCSWMA Update

- i. Mr. Strohecker reported that Manor Township had the first of their two public meetings with DEP and LCSWMA and the second is scheduled for Tuesday, July 28th at the Township building at 7pm. He said the room was filled with people between the various entities and there were a few people from the public in attendance. He said the difference between that meeting and the one coming up is that interested individuals who want to make comments at the July 28th meeting have to register with DEP beforehand so they are aware that you are going to speak. Ms. Green asked that Manor Township states that information on our web site so individuals are aware of it.

b. Revised Final Subdivision/Lot Add-on Plan- Sensenig –

- i. Mr. Strohecker stated that the plan has been before the Supervisors in previous months. It has gone through the Planning Commission and is before them tonight. Mr. Strohecker said there is nothing regarding this plan that is troublesome for the staff, so he asked that the Supervisors make a motion to approve. Mr. Steve Gergely from Harbor Engineering made his final comments about the plan to the Supervisors.

- ii. **Action:** Mr. Mann made a motion to approve the modification requests as presented. Ms. Green seconded the motion and the motion carried unanimously.
- iii. **Action:** Mr. Mann made a motion to conditionally approve the plan based on the Rettew letter dated June 16, 2015. Mr. Wenzel seconded the motion and the motion carried unanimously.

G. New Business

a. Lancaster County Conservancy Presentation

- i. Lori Yeich from the PA Department of Conservation & Natural Resources made a presentation discussing how in the past 10 years DCNR has looked around the commonwealth and focused on how they could develop a place based strategy to preserve resources and support community economic revitalization efforts. Mr. Fritz Shroeder from the Lancaster County Conservancy discussed the Susquehanna Riverlands and Kate Gonick from the Conservancy discussed land preservation.
 - 1. Mr. Wenzel said he didn't realize the scope of the activities that DCNR and the Conservancy have going on. Said he was really impressed.
 - 2. Ms. Green said she would give Ms. Yeich's and Ms. Gonick's contact information to LIMC to get them on the agenda for a presentation in the coming months.
 - 3. Mr. Strohecker asked if there was a plan to take the Rail Trail down the York side and cross over or come up the York side and come back around. Ms. Gonick said there has always been a discussion on linking the Conestoga Trail and the Mason Dixon Trail. She said that was a long term goal of theirs.
 - 4. Mary Glazier said she was so impressed with what has been done on the Northwest Trail and from her perspective she would say it would be more to Manor Township's benefit to address the gap between Washington Boro and Columbia and get us tied into the Northwest Trail. Ms. Glazier asked if the Conservancy plotted the Turkey Hill Section that goes from Safe Harbor to Frys Run. Ms. Gonick said they did while working with Manor Township's Planning Commission. Ms. Glazier suggested adding additional Trail signage to that section to help people from getting lost.
 - 5. Mr. Wenzel asked what Manor Township can do to help the Conservancy? Ms. Gonick advised be a partner and don't be afraid to give them a call with an idea. Ms. Yeich said from a regional basis the Supervisors could be present at local meetings and work with neighboring municipalities. Ms. Yeich noted to the Supervisors to keep in mind that there are other agencies that can help Manor Township with future projects.

b. Crossgates Phase VII Revised Final Plan

- i. Mr. Strohecker stated there is nothing that Manor Township sees that is abnormal with the plan and agrees to Rettew's comments. Bill Swiernik from David Miller Associates spoke that Crossgates is proposing to

subdivide 76 lots down to 56 lots to primarily address the demand for these types of units. Crossgates previously had narrower townhouse units and the proposed units are all duplex and it results in a building that is more desirable and consistent with the market at this time. Mr. Swiernik said the roadways are staying the same, but utilities will have to be reworked.

1. Mr. Wenzel asked what the demographic is that Crossgates are trying to reach. Mr. Swiernik said probably those people who are moving from a large 4 bedroom house into a single floor plan. Said price point is \$300 to \$400 thousand. Mr. Strohecker said the change that is proposed fits right in line with the units that are already there. Mr. Swiernik said they will address the outstanding comments in Rettew's review.
- ii. **Action:** Ms. Green made a motion to approve the modification requests as presented. Mr. Mann seconded the motion and the motion carried unanimously.
- iii. **Action:** Mr. Wenzel made a motion to conditionally approve the plan based on the Rettew letter dated May 13, 2015. Mr. Mann seconded the motion and it carried unanimously.
- c. **Act 14 Notification- Frey Farm Pond Removal** – Mr. Breneman stated this is a standard notification for informational purposes.
- d. **Act 14 Notification- Atlantic Sunrise Project** – Mr. Breneman stated this is also a standard notification for informational purposes.

H. Correspondence

- a. There was no correspondence

I. Traffic Commission did not meet this month.

J. Police Report – Report were submitted.

K. Public Works Director Report – Report was submitted.

L. Township Manager's Report – Report was submitted.

M. LIMC Report

- a. Mr. Strohecker confirmed that Manor Township bought in to the Storm Water Management tracking system.

N. Blue Rock Fire Rescue Report –

- a. Mr. Breneman noted that Blue Rock Fire Rescue did do a whole replacement schedule for apparatus equipment. Now they are moving into looking at facilities and buildings and starting that process. Also said they will be working on a budget next month.

O. Building Permit Report

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

P. Executive Session

- a. At 8:12 p.m., Mr. Breneman announced the Supervisors would be going into an executive session to discuss a personnel and legal matter.

Q. Adjourn

- a. The Supervisors Meeting was adjourned at 8:34 p.m.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Kelly Clemens

Supervisors Meeting Minutes

August 3, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, August 3, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Amber Green, John Wenzel, Jay Breneman and George Mann
Staff Present: Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer
Visitors: Leslie Osborne, 109 Oak Road, Conestoga
Tom Acker, 212 Post Oak Rd., Lancaster
Christine Brubaker, 22 Birch Ct., Lancaster
Lisa Lewis, Valley Drive

Approve Previous Month's Minutes – Ms. Green made a motion to approve the July 6, 2015 minutes as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

Approve the Financial Report and Accounts Payable – Mr. Mann made a motion to approve the Financial Report and Accounts Payable as distributed. Mr. Wenzel seconded the motion and the motion carried unanimously.

Solicitors Report – There was no Solicitor's Report.

Public Comment

Christine Brubaker, 22 Birch Court, complimented the Public Works Department for work that was done in the area of her development entrance. Ms. Brubaker asked that a reminder be placed in the Newsletter regarding the regulation requiring motorist to move over for bicyclist. Ms. Brubaker stated she heard rumors of radioactive and toxic substances being brought to the land not being used by Armstrong and being evaporated, excavated and landfilled. Mr. Clark provided Ms. Brubaker with a response from Mr. Warner regarding the rumor. Ms. Brubaker talked about her trip to Newfoundland and visiting the Geoscience Center in St. Johns. Ms. Brubaker stated there is a dog noise ordinance why can't there be a cows out of stream ordinance.

Leslie Osborne, 109 Oak Road, provided packets of information to the Board pertaining to the Landfill. Ms. Osborne read several quotes from excerpts she provided the Board and explained several graphs she had made. Ms. Osborne went through the packet she provided explaining the pages. Mr. Clark asked if Ms. Osborne has brought any of the information she provided to the attention of Mr. Warner. Ms. Osborne stated he knows all the information. Mr. Clark asked what Ms. Osborne would like the Supervisors to do with the packet she provided. Ms. Osborne stated she wanted them to see that what they were presented by the LCSWMA is not the whole story. Ms. Osborne stated tonnage was not included in the statement made by Mr. Clark at DEP meeting. Mr. Clark stated tonnage should have been included in the statement. Ms. Green asked if the Commissioner's Office receives a copy of the information. Ms. Osborne stated she has never addressed the Commissioners. Ms. Osborne referred to an editorial in the paper and Mr. Wenzel asked for an explanation as he had not seen the editorial. Mr. Wenzel stated he had believed everyone with PALE agreed to the vertical expansion and he was advised that was not true. Mr. Strohecker stated PALE agreed to the expansion and Ms. Glazier stated some people in PALE. Mr. Wenzel stated LCSWMA addressed the issue of tonnage that was brought up by PALE. Mr. Wenzel stated he felt LCSWMA made every effort to answer the questions appropriately and thought they did a good job. Mr. Wenzel stated this Board is solid on their support of the vertical expansion based on all the information they received. Mr. Wenzel affirmed his support for the vertical expansion. Mr. Wenzel stated they made a public statement and he stands by that public statement.

Mary Glazier, 269 Chestnut Grove Road, stated LCSWMA came to people they associate with PALE. Ms. Glazier stated they are not all PALE and Ms. Glazier does not consider herself a part of PALE anymore as she does not agree with what they did with regard to the vertical expansion. Ms. Glazier talked about the figures provided pertaining to the tonnage. Ms. Glazier stated LCSWMA stated they do not need to ask for an increase in the average daily tonnage and what upset them was as there was an agreement with PALE and the Township LCSWMA filed their permit application that contained in it a request for increased tonnage. Ms. Glazier talked about LCSWMA violating the Sunshine Law in 2000 and what occurred as a result of that violation indicating the Township was implicated at that time as well because the Planning Commission met without advertising its work sessions. Ms. Glazier asked when the Board as a Board decided to support the vertical expansion and the volume expansion. Mr. Clark stated they attended all the meetings LCSWMA held and each Board member made an individual decision. There was no closed door session on what they should do. Mr. Strohecker stated the Supervisors individually had conversation with himself. As the meetings occurred, Mr. Strohecker stated he received feedback from the Supervisors and when Mr. Strohecker signed them up for the DEP meeting the choice was given if all five wanted to speak or one wanted to speak on behalf of all of them. The decision for one to speak on behalf of all of them was made by personal phone calls. Mr. Wenzel stated he was out of town but expressed his views. Ms. Glazier was concerned with not having a public discussion. Mr. Strohecker stated there was no violation of the Sunshine Law. Mr. Strohecker stated having known what the Township went through in the late 90's Mr. Strohecker made sure the Supervisors are on the right page of not violating any Sunshine Laws. Ms. Glazier stated the tonnage concerns her as that means more trucks and Ms. Glazier had a conversation with Officer Liddic regarding truck inspections. Ms. Glazier stated she is asking that the Waste Authority be held accountable and the Supervisors represent the residents. Mr. Strohecker stated it concerns him when Ms. Glazier insinuates there were not public meetings as there were multiple public meetings. Mr.

Strohecker pointed out there were two meetings Mr. Warner publicly apologized for not bringing the tonnage to the attention of PALE and the Township. Mr. Strohecker stated it is not the Supervisors did not have questions or comments. The Supervisors individually went directly to Mr. Warner with questions. Questions the Supervisors had were answered either through Mr. Strohecker or they went directly to Mr. Warner. Mr. Wenzel stated tonnage was discussed at the meeting with PALE and the Board members that were there. There were comments made and Mr. Warner did address the question of tonnage where Mr. Wenzel felt he made a good public apology. Ms. Glazier stated this was not a public meeting and was informed that the meeting was advertised. Ms. Green stated she had individual research she would e-mail to Ms. Glazier that is how she arrived at her decision.

Tom Acker, 212 Post Oak Road, stated in June of this year his Uncle who had lived for 30 years at Willow Valley passed away at 97 years of age and he was a World War II veteran. Mr. Acker listed the medals and honors he received. Mr. Acker stated with being the closest relative he was presented with his Military Honors flag. Mr. Acker stated he does not have a flag pole to handle a flag of its size so Mr. Acker asked Mr. Strohecker if he could present it to the Township and would be honored if the Township would fly it on one of their properties in honor of veterans and people that have made sacrifices. Mr. Acker stated he comes from a military family and loves his country and the flag. The Board thanked Mr. Acker. Mr. Strohecker stated he told Mr. Acker the Township would be proud to fly a flag from a resident representing the military and military families. Mr. Strohecker advised Mr. Acker when the flag is raised Mr. Acker would be notified. Mr. Wenzel stated they are honored to receive this flag.

Christine Brubaker stated the Planning Commission has been reviewing the flood plain ordinance and she would like a copy of that. Ms. Brubaker was advised they are not aware of the Planning Commission reviewing the flood plain ordinance but would look into it and get back to her.

New Business

Conveyance of Land – Stone Mill Road – Mr. Strohecker stated they are currently waiting on a Sale of Agreement to be signed by the land owner. Mr. Breneman made a motion to accept the land for additional land to the linear trail adjacent to the Conestoga River from Mr. and Mrs. Hutton. Mr. Wenzel seconded the motion and the motion carried unanimously.

Street Dedication – Shade Tree - Mr. Clark advised he was recusing himself from voting as he sells the properties in Parkfield. Ms. Green made a motion to adopt Resolution 9-2015 accepting dedication of the right-of-way of Shade Tree Drive. Mr. Wenzel seconded the motion and the motion carried with Mr. Clark abstaining.

Act 14 Notification-JV#282 State Route 3017 and Lancaster County Drug Task Force Quarterly Update- These are for information purposes.

Act 14 Notification – 3421 Blue Rock Road – This is for information purposes.

Letter of Credit Reduction from Frey Dairy Farms – Mr. Strohecker verified the reduction requested is valid. Mr. Breneman made a motion to reduce the letter of credit for Frey Dairy Farms from \$201,022 to \$119,932 for a reduction of \$81,090. Mr. Mann seconded the motion and the motion carried unanimously.

Training Approvals – Candid Camera-Preserving and Using Video Evidence and Basic Criminal Investigation and New Detective Training – Ms. Green made a motion to approve Gary Gardner and Matthew Wolf to attend the Candid Camera Training and Kim Geyer to attend

Basic Criminal Investigation and New Detective Training. Mr. Wenzel seconded the motion and the motion carried unanimously.

Reports

Traffic Commission – They did not meet in July.

Police Report, Public Works Director Report, Township Manager’s Report, LIMC Report, Blue Rock Fire Rescue Report, and Building Permit Report – Blue Rock Fire and Rescue and LIMC had no report.

Chief Graeff stated as a reminder National Night Out is Tuesday night at Leisure Lanes from 6 to 8 p.m. Chief Graeff stated Crime Watch was started in June and is working out with positive response. Chief Graeff stated they are having a DUI check point August 15th jointly with East Hempfield Township.

Mr. Harris stated as part of their MS4 they are responsible to make sure construction practices are done in best management way. They discover at times when additions or new home construction occurs people are not always attentive of their silt fence. When the Township receives calls, they go out and have conversation with the builders. The Township recently had an episode on Duke Street where there was bare ground and getting a lot of rains the silt fence was not containing what it was supposed to. There was cooperation with the Soil Conservation District, letters were filed and enforcement occurred. The property now has good sod and grass and much improved. It is important to protect the waters of the Commonwealth and the Township needs the help of its citizens and officials to report problems that are observed.

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

At 7:45 p.m., Mr. Clark announced the Supervisors would be going into an Executive Session to discuss a personnel issue.

The Supervisor’s Meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Supervisors Meeting Minutes

Tuesday, September 8, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Tuesday, September 8, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Approve Previous Month's Minutes – Ms. Green made a motion to approve the August meeting minutes as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

Approve Financial Report & Accounts Payable – Ms. Green made a motion to approve the Financial Report and Accounts Payable as distributed. Mr. Breneman seconded the motion and the motion carried unanimously.

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

Public Comment

There was no public comment.

Old Business

Code Project Update – Mr. Strohecker stated this project is being worked on internally to codify the ordinances and put them on line. Mr. Strohecker expects to have something before the Board in October to move forward with zoning and ordinance update and finish the project by the end of the year.

Atlantic Sunrise Project Floodplain Analysis – Mr. Strohecker provided a letter that was received in the mail regarding the Floodplain Analysis making the Supervisors and Township aware that they could make comments. There is a timeline for comments indicated in the letter.

New Business

Armstrong Rezoning Petition – Mr. Strohecker stated this is a public hearing concerning an amendment to the Manor Township Zoning Ordinance by amending the zoning map by changing tracts of land containing approximately 124 acres located on the east side of South Centerville Road north of Charlestown Road from Industrial Zone to High Density Residential Flex Zone. This hearing has been properly advertised in the Lancaster Newspaper on August 17 and 24, 2015. It was posted by our Zoning Officer at three different locations on August 3, 2015. The owners of the property were notified by our solicitor on July 7, 2015. The petition was sent to the Land Use Advisory Board and the Lancaster County Planning Commission with the LCPC providing comment in a letter dated July 28, 2015. The petition was also sent to the Manor Township Planning Commission and a letter with their comments is dated on August 13, 2015. I'd like to introduce Caroline Hoffer who represents Armstrong to speak to you about their petition.

Caroline Hoffer with Barley Snyder was representing Armstrong World Industries. Armstrong World Industries presented a petition to the Township to rezone its property that is part of its overall Corporate Campus Holdings the main address being 2500 Columbia Avenue. The parcel in question is approximately 124 acres located on the east side of South Centerville Road and on the west side of the Armstrong Corporate Campus. That parcel is currently zoned Industrial that is now farmed. Armstrong has been considering the future for that piece of property and has determined the Industrial classification is not the best zoning for that site

feeling that a residential district was more appropriate. The properties across South Centerville Road are zoned High Density Residential and the property on the north side of this piece is Medium Density Residential. The request is to amend the zoning map for this piece from the Industrial Zone to RH1 (High Density Residential Flex Zone). This has been before the Manor Township Planning Commission and in their August meeting they voted to not recommend the rezoning to the Supervisors. The LIMC's Land Use Plan Growing Together requires a review by their Land Use Advisory Board and that occurred. The Land Use Advisory Board found the rezoning generally consistent with the Central Lancaster County Plan Growing Together. The LCPC provided written comment indicating the property is generally consistent and they are supportive of the rezoning. At a workshop the Planning Commission members expressed their concerns to the Supervisors. As a result of that a number of issues were raised and Ms. Hoffer concluded from that it would be helpful to the Board of Supervisors if they had some additional time to gather information. Ms. Hoffer stated they felt that an extension of this hearing until December 7, 2015 would be useful to give everyone time to pull together additional information and proceed at a public hearing on December 7, 2015. On behalf of Armstrong World Industries, Ms. Hoffer had the authority to offer a 90 day until December 7, 2015 extension to this hearing. The Board was agreeable to continue today's hearing to December 7, 2015. Mr. Strohecker stated the Township would commit to readvertising this public hearing for that date.

SALDO Briefing Item – Signature Personal Care and Memory Care – Mr. Strohecker stated they have received a letter from SDR regarding the fee in lieu of that will require action by the Supervisors. David Miller from Rettew Associates stated they were before the Supervisors to give them an update. Mr. Miller gave a brief review of the site and the proposed improvements that will be done to the site. Mr. Miller stated they have received a review letter from Buchart Horn and have no issues in complying with the remaining comments. They are in the process of getting approval from the Conservation District and a sewer planning exemption. Mr. Miller gave a brief overview of the following waivers that are being requested: Preliminary Plan Application, Reconstruction of Existing Streets, Curbing along existing streets, Sidewalks to be located within the street right-of-way line, and Separation between intersection and a driveway. Mr. Miller talked about the location of the driveway. Mr. Strohecker stated staff reviewed the modifications and is comfortable moving forward. Mr. Strohecker regarding the driveway access they are proposing not to meet the ordinance of 200 feet but for this proposal they are comfortable with it being at 173 feet. Lt. James Woomeer with Blue Rock Fire Rescue stated Lt. DeLong is trying to work on utilizing the old Hambright before it gets demolished as a training activity and asked that SDR would keep them in mind.

Fee in lieu of – Mr. Strohecker stated they received a letter from Caroline Hoffer regarding a fee in lieu of and they are comfortable with that fee in lieu of going forward. Mr. Wenzel made a motion to approve the fee in lieu of park dedication of proposed by Caroline Hoffer's letter dated August 14, 2015. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 10-2015 – Street Dedication of Rocky Knob Way – Mr. Wenzel made a motion to approve Resolution 10-2015 accepting dedication of Rocky Knob Way. Ms. Green seconded the motion and the motion carried unanimously.

Storm Water Agreement – LASA – Ms. Green made a motion to approve the storm water agreement with LASA. Mr. Mann seconded the motion and the motion carried unanimously.

Woods Edge Phase 4 Changes – Mr. Murry, the Developer of Woods Edge, stated he has been approached by the Homeowner's Association to eliminate some of the features originally put in the plan for recreation that is a playground area in the middle of a common open space.

Mr. Murry stated he also addressed the exercise stations along the walking path which are of a similar type of construction. The Homeowner's Association is willing to trade these items for a trees and several benches. Mr. Murry provided a petition he received from residents of Woods Edge. Mr. Wenzel made a motion to approve the changes mentioned by Mr. Murry. Joan Matterness, 213 Sutherland Road, stated they were contacted by residents who border the proposed playground expressing their unhappiness with the playground. Ms. Matterness stated all the residents close to the playground wanted the change. Mr. Clark called for the vote. Mr. Mann seconded the motion and the motion carried unanimously.

Adoption of the 2016 MMO – Mr. Breneman made a motion to approve the 2016 MMO. Mr. Wenzel seconded the motion and the motion carried unanimously.

NPDES Permit Renewal – Jay Bleacher – This is for notification only. No action is required.

Act 14 Notification – Funk's Preliminary Plan – There is no action required.

Hiring of Part Time Police Secretary – Mr. Mann made a motion to hire LeAnn Kramer as a Part Time Police Secretary. Mr. Mann seconded the motion and the motion carried unanimously.

Training Approvals

Police Department – Mr. Breneman made a motion to allow one police secretary to attend seminar "How to Become a Better Communicator". Mr. Mann seconded the motion and the motion carried unanimously.

Reports

Traffic Commission – Did not meet.

Police Report – Two ordinances before the Board one being an Open Container and the other Disruptive Conduct. Chief Graeff gave an explanation of the ordinances and explained how these ordinances would help the Officers who deal with the University students especially in the Manor Oaks Development. Chief Graeff advised that they would also be helpful in any area of the Township where they deal with the same type of problems. Mary Glazier, 269 Chestnut Grove Road, stated she supports these ordinances from three different perspectives as her father is a resident in Manor Oak, she is a Professor at the University and a member of Alcohol and Drug Committee. Susan Sheeler, 101 Langley Square, stated she is a city landlord of several properties and she supports the ordinances Chief Graeff is requesting. Mr. Mann made a motion to pass both ordinances onto to Staff to work with the Chief to come up with an ordinance for the Supervisors to review. Mr. Breneman seconded the motion and the motion carried unanimously.

Public Works Director Report-Mr. Harris stated they met with J. D. Eckman and the plans are to start the structural steel work on the trestle bridge by the end of the month with anticipation of completing the work by Thanksgiving.

Township Manager's Report – Mr. Strohecker noted receipt of MS4 permit that was provided for the Supervisors review.

LIMC – Ms. Green stated on September 21 she will be attending the Statewide Council of Governments Conference in Harrisburg.

BRFR – Mr. Breneman stated everyone received the budget that was approved and has not received any comments. Mr. Breneman made a motion to approve the BRFR 2016 budget. Mr. Mann seconded the motion and the motion carried unanimously.

Building Permit Report – No Comments.

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

Mr. Clark announced that they would be going into an Executive Session to discuss a legal matter. The Supervisors returned from their Executive Session and Mr. Clark adjourned the meeting at 8:15 p.m.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Supervisors Meeting Minutes

Monday, October 5, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, October 5, 2015 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Approve Minutes – Ms. Green made a motion to approve the September meeting minutes as written. Mr. Mann seconded the motion and the motion carried unanimously.

Approve Financial Report & Accounts Payable – Mr. Mann made a motion to approve the Financial Report and Accounts Payable as distributed. Ms. Green seconded the motion and the motion carried unanimously.

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

Public Comment

Steve Natur, 140 Walnut Hill Road, expressed concerns about the Funk abandoned market building that has had the doors broken open and the front that was boarded up has been broken open. He said children are seen going in and out and he is concerned something serious will occur in this building.

Shauna Haertter, 2146 West Ridge Drive, was present regarding barricades for closing roads that are no longer delivered for a block party. Ms. Haertter had pictures of transporting the barricades in her vehicle showing how unsafe it was and provided a neighborhood petition

pertaining to the barricades. Ms. Haertter said permits are offered and the barricades need to be offered with the permits for safety reasons. Mr. Strohecker advised permits are not issued for a request to close a street for a block party. Mr. Strohecker stated as they look at the situation they are exploring the option of actually issuing a permit since once permission is given for a resident to close a street for a block party the Township assumes a certain amount of responsibility at that point. Mr. Strohecker stated a permit has not been issued in the past but moving forward that may be the best option to actually issue a permit for the street closure which would involve a fee.

Old Business

Codification Project Update and Zoning/Ordinance Changes - Mr. Strohecker advised they are moving forward with the process.

SALDO – Signature Personal Care and Memory Care – David Miller from Rettew briefly reviewed the plan stating it is a personal care and memory care facility at the site of the former site of the Hambright Elementary School located between Millersville Road, Temple Avenue and Hawthorn Drive. Mr. Miller reviewed the following requested waivers: Waiver of Preliminary Plan, Waiver of Reconstruction existing street, Waiver of curbing along existing street, Waiver of sidewalks to be located within street right-of-lane line, Waiver of General Standards requiring vertical and horizontal alignment standards for access drives and Waiver of General Standards required same intersection standards for access driveways that are required for local roads. Mr. Miller stated they received a review letter from Buchart Horn dated October 1, 2015 with minor clean up items that they will take care of. Mr. Wenzel made a motion to approve the Final Land Development plan for SDR Development, Inc. Mr. Mann seconded the motion and the motion carried unanimously. Ms. Green made a motion to approve the waivers as submitted and listed in the Buchart Horn letter dated October 1, 2015. Mr. Mann seconded the motion and the motion carried unanimously.

Consideration of Two Ordinances: Open Container and Disruptive Conduct – Mr. Strohecker stated Mr. Goodman is looking at them and did not have them in Ordinance form to review.

New Business

Dombach Text Amendment – Mr. Strohecker stated they have been asked to look at a text amendment for the Dombach property. Tonight the Supervisors are being asked to accept the amendment and forward it to the appropriate individuals for review and come back before the Supervisors in future months. Ms. Green made a motion to accept the proposed text amendment as presented. Mr. Mann seconded the motion and the motion carried unanimously. Ms. Green amended the motion to include sending on to the Commissions as written. Mr. Wenzel seconded the motion. Mr. Clark asked whether the neighbors will be notified. Attorney Mark Stanley stated they have been involving the neighbors throughout the process. First they plan on talking to the owners of the eight mill properties identified in the Township after which they will approach the neighbors as they did as part of the Zoning Hearing Board process. Mr. Stanley stated their intent is to give the neighbors two weeks' notice prior to the Planning Commission meeting. Mr. Wenzel questioned how the neighbors were approached. Mr. Stanley advised each neighbor received a written notice and was invited to the mill for an explanation of what was being proposed and walked everyone through the mill property. Mr. Stanley stated their intent is to notify the neighbors of what they are doing, notify them of the proposed calendar so they know the dates of the public meetings and reach out to answer any

questions the neighbors have that the Dombachs can answer. Mr. Clark restated the amended motion adding Staff, Township Solicitor and Township Engineer for comment. Ms. Green made the motion and the motion was seconded by Mr. Mann. The motion carried unanimously.

Brunswick Farm Apartments Reduction of Financial Security – Mr. Strohecker stated since the agenda was created he received a letter from Rettew who is recommending a different set of numbers than was provided by the ELA Group. Mr. Wenzel made a motion to approve the reduction in the Letter of Credit from Brunswick Farm Apartment in the amount of \$401,163.20 reducing the overall Letter of Credit to \$664,650.80. Ms. Green seconded the motion and the motion carried unanimously.

Turkey Hill Performance Bond Reduction - Mr. Mann made a motion to approve a reduction to the performance bond of Turkey Hill, L.P. in the amount of \$2,111,420.21 releasing the entire amount of the letter of credit. Ms. Green seconded the motion and the motion carried unanimously.

Service Agreement with LASA – Mr. Strohecker stated the five year agreement with LASA is coming due the end of this year and LASA is requesting to renew the agreement for another five year term. The document in front of the Supervisors shows the changes red lined that are mostly dates, etc. Ms. Green made a motion to enter into a five year agreement with LASA allowing Mr. Strohecker to sign the agreement to provide sewer services to Manor Township. Mr. Mann seconded the motion and the motion carried unanimously.

Lancaster County Conservation District MOU - Mr. Strohecker advised this is a Memorandum of Understanding that comes up every year that is an agreement between Manor Township and the Lancaster County Conservation District that they do inspections based on the plans that come before the Supervisors. Mr. Clark stated they are in receipt of the Lancaster County Conservation District MOU.

Notice of Ag Security Area – McCreight & Heisey – Mr. Strohecker stated these two farms are requested to be added to the Ag Security area. Mr. Wenzel made a motion to approve the McCreight and Heisey farm into the Ag Security Area. Mr. Mann seconded the motion and the motion carried unanimously.

Notice of Ag Security Area – Sensenig – Mr. Mann made a motion to accept the Sensenig farm into the Ag Security area. Mr. Wenzel seconded the motion and the motion carried unanimously.

Act 14 Notification – JV#259, State Route 0462 Section 000 – No action required this is for notification purposes.

Transfer of Funds from Capital to General – Mr. Wenzel made a motion to transfer the budgeted amount of \$575,000 from the Capital to the General Fund. Ms. Green seconded the motion and the motion carried unanimously.

Proposed Millersville Borough Official Map – Mr. Strohecker stated this was sent as a form of notification that Millersville Borough is make changes to their Official Map for information purposes.

Training Approval - LCATS Annual Convention – Mr. Mann made a motion to have the appropriate individuals attend the LCATS Annual Convention. Ms. Green seconded the motion and the motion carried unanimously.

Traffic Commission – Did not meet in September.

Police Report – No additions.

Public Works Director Report – No Additions.

Township Manager's Report – Mr. Strohecker stated they are continuing to do MS4 Updates and Training. Mr. Harris did a presentation to the Police Department and training through the Newsletter. Mr. Harris stated they are ready to start labeling storm water inlets. They are looking to work with the Penn Manor Junior Comet Football Team to place placards on the storm water inlets.

Mr. Strohecker presented the Board with a Safety Award from the Susquehanna Municipal Trust which the Township is part of the Workmen's Compensation Trust. In 2014 the Township did have Worker's Compensation injuries but the employees lost no time for the entire year. Along with that the Township received a 20 year membership with the SMT that is a local government coop joined together in Lancaster to pool services.

LIMC Report – Ms. Green stated on behalf of Lancaster County she attended the Pennsylvania State Council of Governments Meeting in Harrisburg.

Blue Rock Fire Rescue Report – Mr. Wenzel mentioned that the Township and Borough have approved this year's upcoming budget which did not increase. Mr. Wenzel stated there is good management at the fire company. Mr. Wenzel stated there is emphasis on retention at the fire company. Mr. Wenzel stated they have a good fire company and people who are dedicated to protecting safety.

Building Permit Report – No additions.

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

At 7:35 p.m., Mr. Clark stated they were going into an Executive Session to discuss a personnel issue.

The Supervisors returned from the Executive Session and Mr. Clark adjourned the meeting at 7:55 p.m.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Supervisors Minutes

Thursday, November 5, 2015

Time: 7:00 P.M.

Vice Chairman Jay Breneman called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Thursday, November 5, 2015. Vice Chairman Breneman introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

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

Staff Present: Ryan Strohecker, Mark Harris, Chief Graeff and Evie Rineer
Visitors: Tom Acker, Post Oak Road
Leslie Osborne, Oak Road
Melissa Kelly, Rettew Associates
Steve Natur, 140 Walnut Hill Rd.
Mike Julian, 54 Penn Street

Approve Minutes – Mr. Mann made a motion to approve the October 5, 2015 minutes as distributed. Ms. Green seconded the motion and the motion carried with Jay Breneman abstaining.

Approve Financial Report & Accounts Payable – Mr. Wenzel made a motion to approve the Financial Report and Accounts Payable as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

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

Public Comment

Steve Natur, 140 Walnut Hill Road, stated he was present for any news on what is being done at the Funk property pertaining to the maintenance. Mr. Strohecker stated the grass/weeds are mowed and concerning the buildings, if anyone observes anyone in the buildings they should call the Police Department.

Old Business

Codification Project Update and Zoning/Ordinance Changes – Mr. Strohecker stated they are looking at January for adoption of ordinance changes. Mr. Strohecker gave an overview of what the project is encompassing stating there are seven different items that fall under this listing the seven items.

Adoption of Two Ordinances: Open Container and Disruptive Conduct - Mr. Strohecker stated these ordinance will be on the December agenda for adoption.

New Business

Doug Funk Storm Water Agreement – Ms. Green made a motion to accept the storm water management agreement based on Rettew's review letter dated October 13, 2015. Mr. Mann seconded the motion and the motion carried unanimously.

Manor Township Infrastructure Study – Melissa Kelly from Rettew Associates stated the goal of this study was to give an overview and put information in one place. Ms. Kelly stated the next step is to dig deeper and start to prioritize some things the Township would want to look at more in depth. Mr. Mann made a motion to accept the infrastructure study. Mr. Wenzel seconded the motion and the motion carried unanimously.

2016 Summary Budget Presentation – Mr. Strohecker made a power point presentation of the 2016 budget listing the Goals for the 2016 Budget, Taxation and Fees in 2016, General Fund Revenues, Employee Compliment and Capital Fund. Mr. Strohecker stated the 2016 Budget will be on the December Agenda for adoption.

Line of Credit Reduction – Wood's Edge – Mr. Wenzel made a motion to reduce the letter of credit by \$488,278.64 leaving a remaining balance of \$192,075.36. Mr. Mann seconded the motion and the motion carried unanimously.

PADEP Letter to Transcontinental Gas Pipe Line Co. – Mr. Breneman stated this was for information purposes.

Act 14 Notification – Atlantic Sunrise Project – Mr. Breneman stated this was for information purpose.

Act 14 Notification – The Barley Farms – Mr. Breneman stated this was for information purpose.

Act 14 Notification – JV#283, State Route 3032 Section 000 – Mr. Breneman stated this was for information purpose.

Financial Audit Engagement Letter – Mr. Strohecker advised this is a letter the Auditors submitted of their cost quote for doing the 2015 audit. Mr. Mann made a motion to accept the Financial Audit Engagement Letter. Ms. Green seconded the motion and the motion carried unanimously.

Training Approvals

Police – Reid Technique of Interviewing and Interrogation – Ms. Green made a motion to approve sending appropriate Police Officers to the Reid Technique of Interviewing and Interrogation conference. Mr. Wenzel seconded the motion and the motion carried unanimously.

Traffic Commission – Did not meet in October.

Police Report – Chief Graeff read a letter thanking Officer Charles Snyder and the Police Department for their support to the Americas 911 Foundation. Chief Graeff stated his report stands as submitted.

Public Works Director Report – No additions.

Township Manager's Report

MS4 Update & Training – Mr. Harris stated they have been charged with six minimum control measures. Minimum Control Measure #1 is about Public Education and Outreach. On October 31st Mr. Harris with 14 boys, three parents and two other Public Work Department employees walked Kent, Joseph, West Fairway and Townhouse Lane and then went over to Woodgate, Bowling Green and part of Georgetown Hills. Their mission was to install placards on the storm water inlets. In giving training to the boys, they talked about drains are for clean water and the placards placed on the drains said “Drains are for Rains Clean Water Only”. Mr. Harris stated the boys understood the message pointing out litter as they walked the streets. Mr. Harris stated the areas targeted are some of the areas they have found paint or motor oil dumped down the drains. Mr. Harris anticipates working with a group again in the future.

LIMC Report – Ms. Green stated she serves as Vice Chairman and will be stepping down.

Blue Rock Fire Rescue Report – Mr. Breneman advised they did not meet.

Building Permit Report – There were no additions.

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

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

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Supervisors Minutes

Monday, December 7, 2015

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Monday, December 7, 2015. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, John Wenzel and George Mann
Member Absent: Amber Green
Staff Present: Ryan Strohecker, Mark Harris, Chief Graeff and Kelly Clemens
Visitors: See Attached Sheet

Mr. Clark stated that Armstrong's petition had been withdrawn and the hearing had been cancelled until further notice.

Approve Minutes – Mr. Mann made a motion to approve the November 2, 2015 minutes as distributed. Mr. Breneman seconded the motion and the motion carried unanimously.

Approve Financial Report & Accounts Payable – Mr. Breneman made a motion to approve the Financial Report and Accounts Payable as distributed. Mr. Mann seconded the motion and the motion carried unanimously.

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

Public Comment

Christine Brubaker, 22 Birch Court – Ms. Brubaker presented the Supervisors with a continuation of her seeking to get historical recognition for the James Logan property. She also presented them with 2 maps that show that James Logan indeed owned property. She said that there are a lot of people who might benefit from an action by Brookfield and would appreciate if Manor Township and Conestoga Township would support it. Ms. Brubaker also showed the Supervisors a map of Native American sites. She said that she is not against the pipeline, but is willing to say that the pipeline is going to desecrate the history. Suggested the Supervisors continued to read and understand the materials she gives them so that they could have a decent conversation about history as it relates to the Supervisors' comprehensive plan and Lancaster County. Ms. Brubaker also wondered why Manor Township doesn't have an ordinance for cows

in the streams but does have an ordinance for dogs that bark. She also wondered why the Penn Manor School Board meets on the same night as the Supervisors when there are large issues that pertain to both.

Steve Natur, 140 Walnut Hill Road – Talked about the safety concerns he had with the Funk’s farm property. Mr. Clark stated that within the next 6 months those buildings would be removed. Mr. Natur stated he wanted the buildings to be secured to keep people out.

Mary Ann Duffy, Manor Ridge Drive – Ms. Duffy asked if there was any information on why Armstrong withdrew their zoning request. Mr. Strohecker said there wasn’t but stated the signs have been removed.

Sherry Morgan, Morgan’s Towing (3530 Columbia Avenue) – Had questions and concerns about the towing list for Manor Township. She wanted to know if there was a master towing list for the Township and if Morgan’s towing was on the list and how she could obtain a copy of it. Mr. Clark asked her if she had reached out to staff members for this information. She said other Morgan Towing staff members have spoken with Chief Graeff and Sergeant Gardner. Chief Graeff stated that Morgan’s Towing has been given answers to the proposed questions already but doesn’t like the answers. Ms. Morgan said she wants to get clarification to the questions and would like to get the line of communication open. Mr. Clark assured her that her questions would be addressed and answered.

Vicki Hutton, Cabbage Hill Garage – Ms. Hutton also wanted to receive a copy of Manor Township’s master towing list and reasons as to why Cabbage Hill Garage is not on that list. Mr. Clark assured her those questions would be answered by the end of the week.

Leslie Osborne, 109 Oak Road – Stated that Manor Township has agreed to a significant increase in truck traffic with no net rate increase for the Township with their amended host fee agreement with the Lancaster County Solid Waste Management Authority. Ms. Osborne said that Manor Township’s Supervisors appeared to be looking out more for the interest of LCSWMA than the citizens they were voted in to represent.

Mary Glazier, 269 Chestnut Grove Road – Ms. Glazier suggested the Supervisors read an environmental protection document that was sent to LCSWMA on November 17th and had been distributed to them. She said that Manor Township’s role is to represent the interests of the Township in regards to LCSWMA’s permit request for both vertical expansion and additional tonnage.

Old Business

- c. Codification Project Update and Zoning/Ordinance Changes** – Mr. Strohecker stated that Manor Township is looking at the January or February meeting for the adoption of ordinance changes.
- d. Ordinance 02-2015- Open Alcoholic Beverage Container Ordinance**
- Mr. Mann made a motion to accept ordinance 02-2015. Mr. Breneman seconded the motion and the motion carried unanimously.

e. Ordinance 03-2015- Disruptive Conduct Ordinance

- Mr. Wenzel made a motion to accept ordinance 03-2015. Mr. Mann seconded the motion and it carried unanimously.

New Business

a. Ordinance 4-2015- Adaptive Reuse of a Historic Mill Public Hearing

Mr. Strohecker stated that this public hearing is to amend the text of the Manor Township Zoning Ordinance. This hearing has been properly advertised in the Lancaster Newspaper on November 16th and 23rd 2015. The petition was sent to the Land Use Advisory Board on November 5th and the Lancaster County Planning Commission on November 23rd and the Manor Township Planning Commission on November 9th. All three have provided letters or comments AND we have received a comment letter from our solicitor, Tom Goodman. Attorney Mark Stanley, representing the petitioners is here to speak to the amendment and answer any questions you may have. Attorney Mark Stanley from McNeese, Wallace and Nurick was there to present on behalf of the owners, Don & Laura Dombach. Mr. Stanley said from a historical perspective, the Dombach's have been looking to adaptively reuse the mill for over 2 years at this point in time. Initially, they went to the zoning hearing board and zoning hearing board issued a decision approving the special exception request but denied the variance request indicating that the specific uses requested like special events and parking are not permitted uses within the RL zone. The uses that have been identified and asked to be inserted into the zoning ordinance are bed and breakfasts (up to 5 with the right to go up to 10 by special exception) and restaurants. He believes that the request is limited because it identifies retail and commercial that they are limited uses. The planning commission and the county has suggested that these uses be by special exception as opposed to by-right uses. Mr. Stanley said this type of ordinance would allow the Dombach's and potentially the other owners of the mill properties to save them as they move forward, so they would request that the Township look favorably upon the proposed ordinance and vote in favor of the ordinance to amend the zoning to provide for this type of use and also the parking components of this type of use. Mr. Stanley said he believes it is consistent with the Township and County planning documents, specifically growing together.

Public Comment

Jim Thomas, Blakinger Thomas – Said he was present on behalf of Steven and Ann Smith who live at 365 Old Blue Rock Road, an adjoining property. Stated that the Smiths are not opposed to historic preservations, but there is no legal and constitutional right to an adaptive reuse of a property. Stated that if you look at the zoning ordinance the permitted uses with the RL district are agricultural, residential and low impact home occupations. Said from the Smith's perspective, they would urge the Supervisors not to amend the ordinance because it creates uses by right that are completely inconsistent with the underlining zoning district. And it also completely ignores the flood plain regulations and ignores reasonable expectations that zoning creates. Mr. Thomas said that if the Supervisors should deem fit to adopt the ordinance, he strongly urged them to not do it as a matter of right, but require landowners to come for a special exception, expose the application to the public, let neighbors come and bring legitimate concerns

and then if the zoning hearing board wants to permit it they can do it by conditions that meet the concerns of the neighbors. Mr. Thomas urged them to not adopt the ordinance as it was proposed.

Christine Brubaker, 22 Birth Court – Said she is not opposed to adaptive reuses of historic mill properties or single room schoolhouses or lime kilns should that come before the Supervisors. However, because she is a resident almost adjacent to the Dombach property, she would like to say that she has high concerns about the flood plain, use of pavers for parking, woods and trees that would be remaining and the waterway of the Little Conestoga Creek. She urged the Supervisors to consider a conservational easement with the property owners if they approved the ordinance so that a hiking trail could compliment other proposed hiking trails in the same area. Mr. Brubaker urged the Supervisors to put restrictions on this particular peninsula.

Joe Ritchey, 335 Ironstone Ridge Road – Stated he has lived at his property for 25 years and that the mill and stream is a part of his life. Said he is in full support of this amendment to preserve the mills of this County and that the adaptive reuse is the only idea that anyone has to preserve these structures. Said that if people don't recognize what it is going to take to preserve these buildings, then we need to recognize what we are going to be left with.

Troy Isaac, Holly Drive – Stated he is in support of the ordinance adaptive reuse.

Joe Frank, 107 Creek Gate Court – Stated he is in support of the ordinance adaptive reuse. Said he thinks these are the final pieces of our history that are going to start to vanish and he urged the Supervisors to not let that happen.

Steven Smith, 365 Old Blue Rock Road – Said he definitely would have a lot of support for the preservation of the old buildings, but said there is expectation created by zoning. Stated this proposal has significant impact on the people who live on that street. It is a private country road and believes it is not meant for a business. Said permitted this by right, these are significant impacts to surrounding properties where they is no chance for their voice to be heard and that would be a significant concern.

Ann Smith, 365 Old Blue Rock Road – Said there are uses listed on the application such as bed and breakfasts or office buildings that her and her husband wouldn't be opposed with. Said they oppose the use of a wedding venue because they felt it negatively impacted the neighborhood and area on a quiet dead end street. Feels that granting this to the Dombach's as a right would deny her right to offer any comments on anything that would happen to take a building and put it into a commercial category without any say from the public. She feels that there is a process and path that they can pursue and still be able to maintain their mill. Said it states in the zoning ordinance that low density residential is set up for an expectation for people who want to live in peace and quiet and have that expectation. Said they would be in favor of the Dombachs restoring the mill and certain uses for it. They would not be in favor it one that would bring a huge amount of traffic and noise to a low density residential area.

Greg Groff, 350 Old Blue Rock Road – Expressed his concern of the traffic coming through the road.

Mr. Strohecker said from a staff position, the Dombachs have followed this through the process that has been pretty extensive. As Manor Township has listened to the comments from the zoning hearing board, LCPC, the Manor Township Planning Commission, and the Land Use Advisory Board, it came across loud and clear that all of those entities were supporting what the Dombachs want to do and are standing behind what they want to do with this particular property. With that said, they also as recognized by Mrs. Thomas, made comments about future uses being special exceptions. So, Manor Township was faced with this text amendment and as staff we felt it made sense to accomplish what the Dombachs are looking at. If the ordinance is passed and the Supervisors would choose to do so, Mr. Strohecker said that Manor Township is very open to taking a look at the ordinance down the road and making some zoning changes to this particular amendment. Mr. Clark said he attended the November Planning Commission meeting and it did result in a lot of discussion pertaining to the issues discussed tonight. Based in what he has seen and heard, he believes the Dombachs have gone above and beyond to pave the path for the other eight mills that are here in the Township. He doesn't believe in this case that it would be proven for the Supervisors to deny or make a change to the proposed ordinance and send the applicant through the process again. He said Manor Township has someone that is willing to invest in a historic structure that will in turn help our local economy by providing jobs and doesn't think the Supervisors should be a barrier from them doing what they would like to do. Mr. Clark said he would be in favor of supporting the ordinance as it had been submitted to them with the caveat that they evaluate the zoning code more specifically on what they look at as their special exceptions.

Mr. Wenzel said the preservation of the mill itself is a very positive thing. Said they will lose them if they don't preserve them in some fashion and in order to preserve them, the land owner has to be incentivized in some way through whatever business it might be. He said what he is concerned about is the list of different businesses that could go in the area so that caveat that had been mentioned is critical for his support as much as anything else. Said it is a very important aspect and something they have to look into sooner than later.

Mr. Breneman agreed with the caveat. Said he thinks the Supervisors need to support this because of what the Dombachs have already done and where they are in this position.

Mr. Mann made a motion to accept ordinance 04-2015 as it had been submitted to them with the caveat that the Supervisors reevaluate their zoning code more specifically special exemptions. Mr. Wenzel seconded the motion and the motion carried unanimously.

- b. Funk's Farm Project- Briefing Item -** Bill Swiernik from David Miller Associates, Bob Wolfe and John Hog were there representing the applicant. Mr. Swiernik said the project has been based on special exemption approval for the development of a property into a retirement community with an assisted living component and is located on the west side of south duke street. The proposal contains independent cottages and apartment style independent living spaces and then an area for wellness and assisted living with 75 beds. They are proposing 3 lots to be subdivided pertaining to a pump station, large area with residential housing, and a lot for future development of commercial space. Since the last

planning commission meeting, Mr. Swiernik said they have met and discussed in detail the comments that were presented in a review letter from Rettew and our working through those comments and intend to revise plans accordingly.

Public Comment Section

Ms. Glazier asked if the development encompassed the entire property? Mr. Swiernik said there are 407 independent cottage style units and 75 beds within the building.

- c. Approval of the 2016 Budget - Mr. Breneman made a motion to approve the 2016 budget. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Breneman said he appreciated all the staff and department heads for all their help in getting the budget completed.
- d. **Isolation Distance Waiver- 101 Chestnut Grove Rd** - Mr. Breneman made a motion to approve the waiver of the well. Mr. Mann seconded the motion and the motion carried unanimously.
- e. **Deed of Dedication- Right-of-Way at Temple Ave and Hawthorne Drive** - Mr. Wenzel made a motion to accept the right-of-way at Temple. Mr. Breneman seconded the motion and the motion carried unanimously.
- f. **Notice of Sale/Purchase of Agricultural Conservation Easement** – The Supervisors received this for informational purposes. No action was required.
- g. **Appointment of Special Legal Counsel** - Mr. Strohecker wanted to specify that the special counsel was specifically for matters concerning the landfill. Manor Township gathered a list of names from different sources and he has contacted them all. Said there was no magical formula to finding these attorneys but said finding an attorney that is versed in land use and landfill matters really narrowed the field down. Said the 4 individuals came highly recommended and expressed interest in the position. He also said it was an important decision because Manor Township does need representation regarding landfill matters going forward. The Supervisors discussed the four candidates in consideration for legal counsel and agreed to use William C. Crosswell. Mr. Wenzel made a motion to appoint Mr. Crosswell as special counsel. Mr. Breneman seconded the motion and the motion carried unanimously.
- h. **Appointment of LASA Board Representative** - Mr. Breneman made a motion to appoint Barry L. Smith as the LASA representative for Manor Township. Mr. Mann seconded the motion and the motion carried unanimously.

At 8:32 PM, the Supervisors broke for an executive session to discuss a personnel matter. The Supervisors returned at 8:55 PM and the meeting resumed.

- i. Mr. Mann made a motion to accept resolution 10-2015 (Appointment of Township Manager). Mr. Breneman seconded the motion and the motion carried unanimously.

- j. Mr. Wenzel made a motion to accept Resolution 11-2015- Fee Schedule. Mr. Mann seconded the motion and the motion carried unanimously.
- k. The board received an ACT 14 notification.

Traffic Commission – Did not meet in November.

MS4 Update & Training –Mr. Harris said that most recently the staff looked at MCM #1 with BMP #4 and created brochures concerning illicit discharges and retention/detention basins to distribute to targeted audiences.

Blue Rock Fire Rescue – Mr. Breneman reported that Blue Rock Fire Rescue is coming under budget for 2015 to the point that they have two loans on some pieces of equipment that they will probably be paying off to the tune of over \$100,000.

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

At 9:00 PM, the Supervisors broke for an executive session to discuss a legal and personnel matter.

The Board of Supervisors returned from their executive session at 9:25 PM and with there being no further business, the meeting was adjourned.

Respectfully submitted,

J. Ryan Strohecker
Secretary-Treasurer

Recording Secretary
Kelly Clemens

Planning Commission Meeting Minutes

Manor Township Planning Commission Minutes

Monday, January 12, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, January 12, 2015 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA.

Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

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

Member Absent: Don Mann

Visitor: Brad Stewart, LCPC

Public Comment

There was no public comment.

Appointment by Board of Supervisors

Keith Hoover was appointed by the Board of Supervisors for a four year term.

Re-organization

Mr. Witmer made a motion to continue with the same Officers in 2015. Mr. Hoover seconded the motion. The motion was for Jay Provanzo as Chairperson, Pam Shellenberger as Vice Chairperson and Don Mann Secretary. Mr. Provanzo called for the vote and the motion carried unanimously.

Meeting Dates – Mr. Hoover made a motion to continue meeting the second Monday of the month at 7:00 p.m. with the exception of October when the meeting is Tuesday, October 13. Mr. Harman seconded the motion and the motion carried unanimously.

Minutes

Ms. Shellenberger made a motion to approve the September 8, 2014 minutes as presented. Mr. Witmer seconded the motion and the motion carried unanimously.

Other Business

The Planning Commission received a list of projects they reviewed in 2014 for information purposes. Mr. Ebersole advised that a list of projects reviewed is given to the Supervisors each year.

Mr. Witmer expressed concern with the amount of light that is going off site from the warehouse that was constructed at the Turkey Hill plant. Mr. Ebersole acknowledged that several complaints regarding the lights have been received and that efforts are underway to look at the approved plan and talk to individuals at Turkey Hill.

Brad Stewart from the LCPC advised that County Planning along with the County GIS Division have been working on two map features one is sidewalks and the other is the future land use. Mr. Stewart stated they will be distributing the layers to the municipalities for quality control. Mr. Stewart talked about the distribution process to the municipalities.

Ms. Shellenberger wanted to give an update on Growing Together. The LIMC has decided to engage in a contract with the ELA Group to help them decide what needs to be done or if anything needs to be done with Growing Together. The ELA Group will interview all the municipalities that are participants as well as Columbia Borough who is not a participant but has interest in becoming part of it. Ms. Shellenberger stated she sent an e-mail to Mr. Strohecker informing him of the upcoming interview process. Ms. Shellenberger suggested to Mr. Strohecker that the interview include a mix of a Planning Commission Representative, Board of Supervisor's Representative, and Staff so there can be a variety of input. Whoever is in the process would need to be familiar with Growing Together so they can answer questions. Ms. Shellenberger stated the four people selected will be provided with a copy of the questions in advance so they know what the ELA Group will be asking. After Mr. Strohecker gives the names of the selected individuals to Ms. Shellenberger, she will work with them for a date and time that would work best for them. Ms. Shellenberger stated she had recommended Amber Green as a Board of Supervisor's Representative since she is the Representative to the LIMC and

the person who came to a LUAB meeting strongly recommending they consider this process. Mr. Stewart made comments on the Growing Together.

Correspondence

PSATS Annual Conference – Mr. Provanzo stated they have received information on the PSATS Annual Conference. Mr. Provanzo asked if the Township covers the expenses. Mr. Ebersole stated he would pass on that question to Mr. Strohecker.

Mr. Provanzo stated they had a letter from the Attorneys representing the sale of the Penn Manor School District property. Mr. Ebersole stated there is a firm looking to purchase the property who has gone through some County Planning process and they submitted a rezoning application that is before them. Their request is to rezone the property from Medium Density Residential to the Mixed Residential/ Commercial Zone, which is the zoning located across the street at 26 Millersville Road. The rezoning request will be on the Planning Commission agenda next month.

Mr. Provanzo advised if anyone wanted to receive the Township Planner brochures who does not receive them to let Mr. Ebersole know.

Mr. Provanzo stated that Ryan Strohecker is now the Manager and welcomed Mr. Strohecker in that position.

There being no further business on motion of Ms. Shellenberger and seconded by Mr. Hoover the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Meeting

Monday, February 9, 2015

Time: 7:00 P.M.

Chairman Provanzo advised no action would be taken on any plans this evening as there was not a quorum. Chairman Provanzo stated these are briefing items and if the planners wanted to make their presentations, the Board would discuss whether they would wait until the next meeting to make their recommendations or possibly set up a special meeting.

Chairman Provanzo called the Manor Township Planning Commission to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Provanzo led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, Keith Hoover and Don Mann

Members Absent: James Henke, Mark Harman, Pamela Shellenberger and Don Witmer

Visitors: David Miller, Rettew Associates
Joe Russell, SDR Development
Caroline Hoffer, Barley Snyder
Todd Shoaf, Pioneer Management
Brad Forrey, Wholsen
Mike Leichliter, Penn Manor School District

Public Comment

There was no public comment.

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

Project #15-001 – Revised Final Plan/Lot Add-On for Chesapeake Crab Connection – Todd Shoaf with Pioneer Management presented the plan. Mr. Shoaf stated the owners of Chesapeake Crab Connection are Jim and Holly Norton and the subject tract is located at 2834 Columbia Avenue across from the Villa Nova just east of Centerville Road. This plan was before the Planning Commission in 2011 and 2012 where it received conditional final plan approval. At that time, it was proposed to have a restaurant constructed on the site and a portion of that business would be relocated to a warehouse. That warehouse project was just recently approved but has yet to be constructed. Chesapeake Crab would like to proceed with the restaurant project, however since 2012 there is a new builder and several new consultants. The project has slightly changed due to the modification of the building footprint. With that building modification, the applicant needs additional property to meet the rear yard setback. The Applicant currently has a sales agreement with Murry Companies to purchase 2,555 sq. ft of adjacent property. That agreement is contingent upon the plan being recorded by April, therefore, there is a time constraint. Mr. Shoaf stated it was their hope that the plan would have a recommendation this evening. If the Township pursues a special meeting, Mr. Shoaf is hopeful they could be included in that special meeting to get a recommendation prior to the Supervisor's meeting on March 2nd. Mr. Shoaf advised they have submitted plans to the LCPC for their review on the 23rd of February. Mr. Shoaf stated it was their hope the Planning Commission would provide recommendation without LCPC comments. Applicant would anticipate receiving the LCPC comments before the Supervisor's agenda and addressing those comments as part of the lot add on plan. They are in receipt of Rettew Engineer's review letter and have no problems addressing the comments. Rettew Engineers recommended approval of the four waiver requests. Mr. Mann had questions pertaining to the plans for the existing structures and noted there was concerns with the parking.

Mr. Strohecker commented that with both projects tonight there are unique circumstances. Mr. Strohecker suggested that he and Mr. Ebersole will look at having a special meeting later this month. Mr. Strohecker suggested that Mr. Ebersole could poll the Planning Commission members, find out if there is any specific issues with either of these projects and come up with an informal recommendation for the Board of Supervisors to stay on track for the March meeting and have these projects go through as scheduled. Mr. Strohecker stated it is not required the Supervisors have Planning Commission recommendation but it is the normal procedure. With the circumstance of not having a quorum and the plans need to go through based on time lines, they can take a look at some options. Mr. Strohecker stated if it is agreeable with the Commission they will look at the options and get back to the Commission members. The Commission members were in agreement.

Mr. Hoover had questions on Comment #5 in the review letter relating to the two properties needing to be combined. Mr. Shoaf advised there are two parcels and some buildings that straddle the property line. With this plan set, Mr. Shoaf stated they can combine the two parcels into one. Mr. Hoover had questions on the parking concerns.

Rezoning Petition Signature Senior Living, LLC – Caroline Hoffer along with David Miller from Rettew Associates, Mike Leichliter, the Superintendent of Penn Manor School District, Joe Russell from Signature Senior Living, and Brad Forrey were representing the rezoning petition. The request is for a 6.7 acres piece of property belonging to the Penn Manor School District at the intersection of Temple Avenue and Millersville Road to go from its current Medium Density Residential Zoning District to a Mixed Residential/Commercial Zoning District. Signature Senior Living has an agreement to acquire the tract.

Mr. Leichliter stated the elementary school has occupied this site since the 1930's when it was a very rural and residential area. As the school district grew, they determined the size of the property along with the growing population in Manor Township made it unwise for the School District to maintain a school on the site. The School Board was intent on finding a buyer who could bring a commercial type of enterprise for the benefit of a tax base for both Manor Township and the Penn Manor School District. There were three different offers and the District was thrilled with Signature Senior Living believing they were an organization that would become a good part of the community. One difficulty is the current zoning. What makes it a marketable lot is the access to Millersville Road, Columbia Avenue and the surrounding businesses. The School District feels it would be a good use to rezone the tract so it would conform to some of the businesses that surround it on three of the four sides. The School District is supportive of the rezoning and Signature Senior Living occupying the site as the new owner.

Ms. Hoffer stated the area has changed and listed the uses surrounding the tract. Ms. Hoffer stated their thoughts were this would be an extension of an existing district and is a step down district that is not as intense as a General Commercial District. The purpose of the zoning classification was for neighborhoods in transition moving from residential to commercial. Signature Senior Living is proposing to put a facility on the tract that would be in the nature of an assisted living facility, which is a very low impact type of use. Mr. Leichliter stated after looking at the various buyers Signature Senior Living was the lowest impact. Ms. Hoffer stated this did not appear to be an attractive area for residential development. Ms. Hoffer stated they had met with the Township Staff and talked about the assisted living facility as a proposed use. Ms. Hoffer pointed out there will be no access from Millersville Road. Mr. Provanzo had questions on the type of structure that would be put on the lot. Ms. Hoffer provided a sketch that would be similar to the type of layout used by Signature Senior Living. Ms. Hoffer noted any use proposed for this site would come back to the Planning Commission in the nature of a land development plan. Ms. Hoffer stated the assisted living facility use is provided for in a Mixed Residential/Commercial District.

Mr. Ebersole advised Mr. Provanzo that he would contact the other Commission members for their opinions. Mr. Strohecker stated if there are major objections to either of the plans, than a special meeting may be necessary.

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

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, March 9, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, March 9, 2015, at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

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

Visitors: Don Witmer and Keith Hoover
Scot Fertich, 130 Centerville Rd
Jeff Culton, Buchert Horn
David Miller, Rettew Assoc.
Mike Leichliter, Penn Manor School Dist.
Elaine Jones, LNP
Jay Ebersole, Weber Surveyors, Inc.

Public Comment – There was no public comment.

Minutes - Ms. Shellenberger made a motion to approve the January 12, 2015 minutes as submitted. Mr. Witmer seconded the motion and the motion carried unanimously.

Mr. Hoover made a motion to approve the February 9, 2015 minutes as submitted. Mr. Mann seconded the motion and the motion carried with Ms. Shellenberger, Mr. Henke, Mr. Harman and Mr. Witmer abstaining.

Old Business

Rezoning Petition - David Miller from Rettew Associates along with Mike Leichliter from the Penn Manor School District presented the petition. Mr. Miller stated this petition is for the rezoning of the site that was the Hambright Elementary School at the intersection of Millersville Road and Temple Avenue. Mr. Miller stated this is approximately a 6.7 acre site located in the Medium Density Residential Zoning District. North of the site is General Commercial Zoning, with residential to the east and south with some commercial uses across the street on Temple Avenue. The school has been vacant for a year and is open for redevelopment. Signature

Senior Living is interested in this site for an assisted living and memory care facility. They propose to raze the existing building and construct a new roughly 6,800 square foot facility at this site. In the current zoning a nursing home type facility is not a permitted use, so the petition is to rezone this site to Mixed Residential/Commercial Zoning District (MRC), which permits nursing home type uses. This is a good transition from the heavier commercial use and then transitioning down to the residential. Mr. Miller stated this is a good use for this property and is a for profit business that will help the Township. The existing entrance from Temple Avenue would be used and the employee/service parking area off of Hawthorn Drive would line up with Ursinus Avenue. Mr. Henke asked if any consideration was given for the entrance/parking area that close to Millersville Road versus the other entrance the school had further to the east. Mr. Miller advised with the configuration of the building the main entrance is the existing location and there will not be heavy traffic. Mr. Stewart from the LCPC stated they had three comments that pertained to the existing recreation area on the site, retention of the historical portions of the actual school considering that is one of the oldest school structures for Penn Manor School District and suggest the Township actually revisit the existing Comprehensive Plan and adjust the classifications to match the rezoning. Mr. Mann stated he was not overly concerned with retaining the existing recreation area as Greider Park is only a few blocks away. Mr. Henke stated he is pleased it is a reuse of an existing developed piece of land and also pleased it will a tax base that will help the Township. The Planning Commission members were pleased this will be a low impact use. Mr. Leichliter advised that Signature Senior Living donated the playground equipment to the Township for reuse elsewhere. Mr. Leichliter stated on behalf of the School District they appreciated the Planning Commission's reconsideration from the February meeting, which did not feature a quorum. Mr. Leichliter also stated that he has been out there at a time when the school is closed down and there really is not a large amount of public use on the parcel. The School District wanted to make sure that recreational uses were available so they added opportunities to the new school and the surrounding area. They feel the Senior Living facility will have a lower impact on the neighborhood then when it was used as a school. There was some discussion on the traffic in the area and effect it may have on children walking to Greider Park. Mr. Henke made a motion that the rezoning for Signature Senior Living, LLC tract formally the Hambright Elementary School be recommended for the change to the Mixed Residential/Commercial Zoning District. Ms. Shellenberger seconded the motion and the motion carried unanimously.

New Business

Project #15-002-Minor Subdivision Plan for Whistling Glen Farms, LLC – Jay Ebersole from Weber Surveyors presented the plan. Mr. Ebersole stated this is a 12.5 acre farm and they would like to subdivide the existing house and garage from the farm land. There is no proposed development. They want to subdivide a little over an acre leaving 11.5 acres. The lot is perked for a replacement system and is connected to public water. There are several comments. There must be two perks and probes on the remaining land that is required according to the Township On-Lot Sewage Disposal System Ordinance. There is no Planning Module. Mr. Harman made a motion to move the Minor Subdivision Plan for Whistling Glen Farms, LLC from a briefing item to an action item. Mr. Witmer seconded the motion and the motion carried unanimously. Mr. Harman made a motion to recommend approval of the Minor Subdivision Plan for Whistling Glen Farms, LLC provided they can satisfy the comments in March 2, 2015

review letter from Rettew Associates. Mr. Henke seconded the motion and the motion carried unanimously.

Project #15-003-Final Land Development Plan for the Lancaster Area Sewer Authority (LASA) - Jeff Culton from Buchart Horn Engineer represented LASA and was accompanied by Scot Fertich who is the Engineering Manager of LASA. Mr. Culton stated the project involves an upgrade of bio solids handling and processing facility at the LASA Susquehanna Waste Water Treatment Facility. Mr. Culton listed the upgrades that would be included in the project. The maximum number of employees on the two largest shifts is 16 people and the plant is manned by three people during the evening. There is an average of 15 deliveries of waste during the day with the maximum number of vehicles during peak traffic hours being 20. The plant has an on-site well that has the capacity of 25 gallons per minute. The new construction will not increase the water demand. The following modifications were requested: Section 403.6.B and 407.1-requirement for water feasibility report. It has been found the report is not necessary as water use is less than 400 gallons per day, therefore, they will formally withdraw the modification request. Section 403.6.C and 407.2-Sewer Service Feasibility Report-because the use is already served by public sewer the report is not required, therefore, they will formally withdraw the modification request. Section 403.6.D and 407.3-Submit a Traffic Evaluation Report-because the project does not meet the threshold for report no report is necessary and they will formally withdraw the modification request. Section 403.6.F and 407.5-Historic Features Report-there is no resource on site that is eligible for listing and no known resources geographically identified by the Pennsylvania Historic Museum Commission on this site, therefore, they request no Historic Features Report be submitted. Section 502.12.B.1-Sidewalk within 300 feet of a Village Growth Area Boundary-they request sidewalk installation be deferred until a time when the adjacent Village Growth Area has sidewalk with which it would connect. There are no sidewalks in the area. The Authority proposes that they would agree to install sidewalks along River Road within six months of the installation of sidewalks adjacent to their frontage. Section 502.13.A-Street Lighting-propose no light is provided at the access drive intersection and justification would be traffic volume is 48 trips per day with deliveries and visiting occurring during office hours. No additional site traffic is expected. No traffic incidents have been reported at the intersection in the plant's history and the existing driveway is not being modified. Mr. Caldwell commented that under modification for the sidewalks they have indicated no alternatives provided and that is incorrect. On the modification request it is what was stated they are requesting to defer it. Mr. Caldwell stated there is a street light on a pole at the driveway and that requirement may be satisfied. Mr. Harman asked if there would be a zoning relief needed. Mr. Ebersole advised they received approval of a variance at the February Zoning Hearing Board Meeting regarding the lot coverage. Mr. Henke had questions on the lot coverage indicating he did not feel it was clear on the cover sheet. Mr. Henke referred to the review letter from Rettew Associates "Zoning Comment #3". Mr. Stewart had questions on the digesters and possible rezoning of this property as it is classified on the Future Land Use map as institutional. Mr. Henke asked about the storm water. Mr. Provanzo asked if the applicant was going to formally submit to have the waivers withdrawn and Mr. Culton stated they would. Mr. Henke made a motion that the Lancaster Area Sewer Authority's Final Land Development Plan be advanced to an action item this evening. Mr. Harman seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation that the modifications be either formally withdrawn, formally deferred, and/or recommended for approval as outlined in

Rettew's letter dated March 9, 2015. Ms. Shellenberger seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation for approval so long as the Applicant satisfies the outstanding comments under Rettew letter dated March 9, 2015 coupled with the comments relating to storm water management. Mr. Hoover seconded the motion and the motion carried unanimously.

Other Business – Ms. Shellenberger gave an update on the LIMC and the new Comprehensive Plan stating the LIMC funded working with ELA Group to come up with a proposal or recommendation as to whether they go forward with an update based on results of the interviews with participating municipalities.

Mr. Provanzo asked for an update on the lights at Turkey Hill. Mr. Ebersole stated Mr. Gregory from Turkey Hill provided the Township with evidence that they made changes. The Township heard from the public stating they were grateful for the changes and were happy with them.

Correspondence – There was no correspondence.

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

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, May 11, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, May 11, 2015, at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission Members and led those in attendance in the Pledge of Allegiance to the Flag.

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

and Keith Hoover

Visitors: Denise Dohner, Harbor Engineering
Chris Johnston, Penn Manor School District
Todd Vaughn, David Miller Associates
Brad Stewart, LCPC
Joel Young, Rettew Associates

Bill Murry, 1899 Lititz Pike

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a motion to approve the March 9, 2015 minutes as presented. Mr. Witmer seconded the motion and the motion carried unanimously.

New Business

Project #15-004-Final Subdivision/Lot Add-On Plan for Elmer and Grace Sensenig – Denise Dohner with Harbor Engineering presented the plan. Ms. Dohner described the location of the property stating there are two existing parcels. They are proposing to subdivide two lots, add on a portion of land to Lot 3 and a portion of land to Mr. Eberly's property. Mr. Sensenig who owns the farm is in the process of working with the Agriculture Preserve Board to preserve the farm. They are not proposing any improvements but they are proposing to extend the public sewer to serve the lots. There are three modification requests, one for Plan Scale, one for Storm Water Management Controls and one for Significant Environmental Features that is specifically for the wetland study. They would like to propose an alternative that the wetland study be conducted basically just in the area where they are subdividing and adding onto properties and extending the sewer not for the entire 103 acres. They have received Rettew's review letter which they will address and they feel they are able to adhere to all the comments. There is a comment regarding additional right-of-way that needs to be provided along Lots #1, 2 and 3. Lot #1 is the entire farm and there is additional right-of-way proposed for the two new lots. The Township Engineer was going to talk to the Public Works Director to discuss the additional right-of-way. Mr. Witmer questioned why additional right-of-way is needed. Mr. Caldwell stated all the lots involved in this project either are or will be served by public sewer. Mr. Caldwell stated there are comments regarding on lot sewage that do not apply. Mr. Harman asked if there has been any site testing to verify the lots when subdivided can maintain storm water facilities. Mr. Henke questioned if there would be problems with a small detention basin and a point discharge onto the preserved farm. Ms. Dohner advised there would probably be a seepage pit situation but they have not looked into it. Ms. Shellenberger questioned if the Storm Water Ordinance required the storm water to be managed on site and was informed it did. Mr. Henke questioned the procedure when a permit is applied for. Mr. Stewart from LCPC stated their only comment was regarding the locations of the well. Mr. Henke asked if there is sight distance for Lots #3 and 4. Ms. Dohner advised that they will be looking at the sight distance. The Commission was in agreement to keep this as a briefing item.

Project #15-005-Revised Final Plan for Woods Edge Phase 2 Section 4 - Todd Vaughn from David Miller Associates presented the plan. Mr. Vaughn stated on behalf of their client they are before them with a plan revising what was formally a community building that took up about 7,000 square feet with the building itself and the patio area, into 12 studio apartments. The new apartment use actually reduces the impervious footprint by about 2,200 square feet. All the public improvements were installed which included 24 parking spaces. Mr. Vaughn stated this is a two story, six studio apartment per floor. There are no property changes or any other public improvement changes to the property. Public improvements were previously installed such as

existing sewer lateral, water laterals, community mailboxes, sidewalks, and walking path are all installed and will remain as part of this plan. They have the review from the Township Engineer but have not been able to reply to that review to date. Mr. Vaughn went through the comments indicating how they are complying. Mr. Vaughn stated they are asking for two modifications Section 303.F.2 - Briefing Item and Section 403.3 – Existing Features. Mr. Witmer expressed concern as to whether the residents were aware of the revised plan. Mr. Provanzo had questions on the density. Mr. Henke made a motion that the Woods Edge Phase 2 Section 4 Revised Final Plan be moved forward to become an action item from a Briefing Item. Mr. Harman seconded the motion and the motion carried 5-1 with Mr. Witmer voting no. Mr. Henke made a recommendation that Section 303.F.2 – Briefing Item be recommended for approval. Ms. Shellenberger seconded the motion and the motion carried 5-1 with Mr. Witmer voting no. Mr. Henke made a recommendation to approve Section 403.3 – Existing Features be recommended for approval. Mr. Harman seconded the motion and the motion carried 5-1 with Mr. Witmer voting no. Mr. Henke made a recommendation that Woods Edge Phase 2 Section 4 Revised Final Plan be recommended for approval based upon satisfying the Rettew Associates letter dated May 4, 2015 presented to the Commission. Mr. Harman seconded the motion and the motion carried 5-1 with Mr. Witmer voting no.

Project #15-006 – Sketch Plan for Signature Senior Living (SDR Development) - Joel Young with Rettew Associates represented the plan. Mr. Young stated the site in question is the existing location of the former Hambright Elementary School. SDR Development, Inc. is proposing a personal care and memory care facility by Signature Senior Living. This is a 16,000 square foot, one story structure with 80 rooms and 110 beds. There are community rooms, dining facility, and court yards. The facility is located in the center part of the site and they are looking at using existing access off of Hawthorne Drive for employees and services. The front access area would have the majority of parking for visitors and a few residents who would have vehicles. They are proposing ADA parking in both the front parking area and the back. Overall parking is approximately 67 spaces. They will be using public water and sewer. Most of the site has curbing and they are looking to create a new sidewalk location along the Millersville Road area to tie into Temple Avenue. They are trying to preserve the majority of the trees. Along Temple Avenue they are looking to keep the existing entrance for the parking area for visitors and residences and continue the walkway along the front. There is an existing bituminous sidewalk along Temple Avenue and they kept that consistent. Regarding Hawthorne Drive the curb at Members 1st was brought tapered out and went to the existing edge of bituminous along Hawthorne Drive and they did the same with intent to keep consistency. They feel the facility will work well with the neighborhood. The school has a basin that they are looking at reconfiguring but keeping the bulk of the storm water in the same area and will meet the storm water requirements for the Township. These type of facilities are low generators of traffic. The peak traffic in the morning for both entrances is about 20 cars in and out with the afternoon being about 27 vehicles. They received a letter from Buchart Horn with four comments. Mr. Provanzo had questions on the number of employees. Mr. Harman had questions on the sidewalks whether they are installing concrete or matching what is existing. Mr. Young stated they were looking at asphalt to keep it consistent but turning up Millersville Road they were looking at concrete. Mr. Harman stated he still had concerns about the access drive close to Millersville Road. Mr. Young advised they did a turning queue on Tuesday and morning queue maximum in the morning was two cars and in the afternoon was a little heavier

the maximum queue was three cars. Mr. Henke stated the access was used as an exit by the school. Mr. Henke stated it is not a good intersection. People use it as a cut through and people on Millersville Road block Temple so vehicles cannot turn into Temple from Millersville Road. Mr. Henke suggested they look at the true entrance of the school. Mr. Young stated the challenge they had with that was the location of the building with it being relatively close trying to pull it up or get out of the way to get a turning radius you would want for entrance pushes the building against the setback. Mr. Henke stated a waiver would be needed and he would not personally support a waiver. Mr. Henke supports the use but struggles with the access point and the sidewalk. Mr. Henke would like to see the sidewalk match as it is concrete on the other side of Temple Avenue. There was discussion on the curbing. Mr. Henke asked Mr. Young what the concept was for the sidewalk along Temple Avenue and Hawthorne Drive. Ms. Shellenberger stated she would prefer to see concrete sidewalk.

Correspondence

Mr. Ebersole stated the only correspondence was a mailer that he had emailed to them.

On motion of Ms. Shellenberger the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, June 8, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, June 8, 2015 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, James Henke, Mark Harman, Don Mann and Keith Hoover
Members Absent: Pamela Shellenberger and Donald Witmer
Visitors: John Weese, Harbor Engineers
Jeff Fry, Murry Development

Public Comment

There was no public comment.

Minutes

Mr. Henke made a motion to approve the May 11, 2015 meeting minutes as prepared. Mr. Harman seconded the motion and the motion carried unanimously.

Old Business

Project #15-004 – Final Subdivision/Lot Add-On Plan for Elmer and Grace Sensenig – John Weese from Harbor Engineering presented the plan. Mr. Weese stated this plan was before the Commission at their last meeting. The sewer line is being extended and is currently being reviewed by LASA. There is a capacity letter but not a design approval from LASA. Mr. Weese reviewed the plan pointing out the proposed Lot 4 and 5. Mr. Caldwell stated last week they received a revised submission for the Sensenig Plan. Mr. Caldwell went over the remaining comments that need to be addressed stating there is some discussion that needs to occur between the Applicant and Township on what the Township wants to do with right-of-way. Mr. Henke had questions on the storm water and the mechanisms in place to issue a building permit. Mr. Provanzo had questions regarding the additional right-of-way. Mr. Caldwell advised they will meet with Mr. Harris to find out exactly the area and amount of additional right-of-way Mr. Harris is looking for. Mr. Henke made a motion for Section 403.1.A-Plan Scale and Section 510-Storm Water Management Controls be recommended for approval based on the justification previously submitted and in accordance with the Township Engineer's review letter. Mr. Harman seconded the motion and the motion carried unanimously. Mr. Henke made a motion to recommend Final Subdivision and Lot Add On Plan approval for the Elmer and Grace Sensenig tract in accordance with the most recent Rettew review letter dated June 9, 2015. Mr. Harman seconded the motion and the motion carried unanimously.

New Business

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

Project #15-007 – Revised Final Plan for Crossgates Phase VII - Bill Swiernik from David Miller Associates was present along with Jeff Frey from Murry Development. Mr. Swiernik indicated they were present for Phase VII of Crossgates stating the property was previously subdivided into townhouse units. They are requesting a revision from the townhouses to semidetached units. There is a reduction of 18 units with the development. The effort is to redistribute the lots to have a marketable unit. The roads will stay as previously proposed and have been constructed. Some of the townhouse units are built. They will need to reconfigure the utilities. There is a reduction in the impervious area as it relates to storm water management and lot coverage. Ultimately they would be using the roadway system as it has been proposed without changing the configuration of width. Where sidewalks are previously proposed they will all be the same. There was a review letter from Rettew Associates that Mr. Swiernik wanted to get clarification for several comments from the Board. Mr. Swiernik stated they had not shown the clear sight triangle and that will result in Lot 72 will need to move back to get out of that clear sight line. Mr. Swiernik went through the comments in the review letter indicating how they would be addressing the comments. Mr. Mann had questions on the size of the units, who looks at these units and Mr. Henke had questions pertaining to the HOA. Mr. Hoover had questions on the grade difference from road to garage entrance. The Board was in agreement to

move to an action item. Mr. Harman made a motion to move the plan to an action item. Mr. Henke seconded the motion and the motion carried unanimously. Mr. Harman made a motion to recommend approval of the Revised Final Plan for Crossgates Phase VII upon satisfying the review letter from Rettew Associates dated May 13, 2015. Mr. Henke seconded the motion and the motion carried unanimously.

Correspondence

Mr. Mann asked if everyone receives the Township Planner pointing out there are surveys included in the Planner.

Mr. Provanzo stated he is acknowledging receipt of DEP Act 14 Notice pertaining to the LASA project.

On motion by Mr. Henke the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, July 13, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, July 13, 2015 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, James Henke, Mark Harman, Pamela Shellenberger, Donald Witmer and Keith Hoover
Members Absent: Don Mann
Visitors: Caroline Hoffer from Barley Snyder
Mark Huber, 113 Shannon Drive
Jennifer Zimmerman from Armstrong
Brian Engle from Rettew

Public Comment

There was no public comment.

Minutes

Mr. Henke made a motion to approve the June 8, 2015 meeting minutes as prepared. Mr. Hoover seconded the motion and the motion carried with Ms. Shellenberger and Mr. Witmer abstaining.

New Business

Rezoning Petition - The zoning petitioner is Armstrong World Industries, Inc. There are two tracts of land totaling approximately 124 acres and the account numbers are 410-79088-0-0000 and 410-92953-0-0000. The tracts are currently zoned Industrial (I). The petitioner requests that the property be rezoned to High Density Residential Flex (RH1). The Commission needs to review and make recommendations to the Township Board of Supervisors.

Caroline Hoffer, from Barley Snyder, Jennifer Zimmerman from Armstrong and Brian Engle from Rettew Associates attended the meeting in regards to the rezoning petition.

Brian Engle from Rettew said that the petition dealt with 2 parcels out of the entire campus that were bounded by South Centerville Road and are within the urban growth boundary of the Township. Mr. Engle said the Central Lancaster County Comprehensive Plan designates this area as a growth opportunity area. He said it provides a great opportunity with that cluster development to work around those manmade and natural features and create neighborhoods that are really conducive to the adjoining neighborhoods. Mr. Engle said the reason that they believe this is the proper zoning is because it is supported by Manor Township's ordinances and is within the urban growth area. He said the property itself is specifically identified as something to be developed with a higher density to be within plans of the comprehensive plan. Mr. Engle said the industrial zoning itself is fairly flexible too. Being that Armstrong is close to roadways, he said the utilities and infrastructure facilities are there. Mr. Engle said they have not been engineered yet and they have not done the capacity studies. That would be part of any land development planning that would come before the Planning Commission. Mr. Engle said he doesn't know if upgrades need to be done yet to these facilities but that would be identified. The key is the background infrastructure is there now for transportation and utilities. In summary, Mr. Engle stated that the comprehensive and municipal plans really support this type of zoning in this area. They think it is more conducive to the neighborhoods. The utilities are available. They have the transportation available and the cluster option within this zone clearly would be conducive to create neighborhood areas which would allow them to preserve those areas that need to be preserved. Mr. Engle stated it will also help with the connection of Stone Mill Road. Rettew believes that the connectivity between all of these developments and future developments is important also. Ms. Hoffer stated that Armstrong has been in discussion with Manor Township about this potential for some period of time. It is something that has been considered thoughtfully over a long period of time as to what is appropriate for this area and is what has led Armstrong to come forward with the petition to rezone.

1. Ms. Shellenberger said she agrees that it is showing in growing together as a growth opportunity area, but if you read the text of growing together the intent is for mixed use not a strictly residential development. She said she understands that the residential high density flex zone does allow for other uses other than residential, but if you go with a cluster development that is strictly a residential use she questioned if it was truly consistent with the growing together plan.
 - a. Ms. Hoffer said whether you design it for some of the related uses or residentially it allows for density to be confined into cluster areas. She said a developer could incorporate some of those other uses. She said one of the challenges with mixed commercial is that it is very difficult to support a commercial use within a residential zone. Mr. Hoffer does not believe that this area would support a retail type small shop development.
2. Ms. Shellenberger asked Nick Ebersole if this plan had been sent to the Land Use Advisory Board for review. Mr. Ebersole said it had not and stated that Manor Township just follows the planning commission guidelines at the county level but there would still be time to do so if need be. Ms. Hoffer said the Lancaster County Planning Commission had scheduled this for review on July 27th.
3. Mr. Henke asked if the cluster option was just available in the high density zone. Mr. Engle said Armstrong doesn't know that is the way they are going. This zoning provides that option.
4. Mr. Henke asked if his assumption was correct that people are generally obligated to avoid floodplains and wetlands. Mr. Engle confirmed that was correct, but the idea is that the cluster is going to help generate a neighborhood feel.
5. Mr. Henke asked what Mr. Engle's opinion was in the difference between regular and high density versus the flex? Mr. Engle said it gives you more options on the types of units that you are going to have there.
6. Mr. Henke asked if the plan for the east/west corridor was to be built and stubbed for the time being. Mr. Engle said they haven't done any engineering and he would imagine that it is part of the conscious plan, but right now they are only looking at the rezoning of these two parcels.
7. Ms. Shellenberger had questions on how much vacant residential zoned land currently exists in Manor Township and whether there was a need for this amount. In response to Ms. Shellenberger's question, Mr. Ebersole listed the vacant residential zoned land areas.
8. Mr. Henke asked with no access points other than South Centerville Road, what would be Mr. Engle's professional opinion as to what the traffic is going to do and look like at the intersection of Centerville and Columbia Avenue. Mr. Engle said his professional opinion is there would have to be a traffic study done first and stated

there is work to be done as far as the land development process. The studies are going to have to be done, even with utilities.

9. Mr. Henke asked for clarification that there is no interested developer in the picture. Ms. Zimmerman from Armstrong said there wasn't a developer interested right now but there has been interest in the past over the last two decades.
 - a. Mr. Henke asked if Armstrong had an idea of what they wanted to see on the land. Ms. Zimmerman said they didn't but it won't be used for their manufacturing. She said they are choosing high density flex because that is what Armstrong sees as most attractive to potential developers.
 - b. Mr. Henke asked if it might be a better idea to wait until a developer was involved to rezone. Mr. Engle said it seems to be an opportune time for Armstrong right now.
10. Mr. Harman said his concern is the fact that Armstrong doesn't have any kind of concept and the moment the planning commission rezones this, they relinquish a tremendous amount. He said there is just no way he could comfortably give this a thumbs up without some kind of concept moving forward.
 - a. Mr. Engle said that his point is certainly understandable but said the problem is that that a concept may not held to anything.
11. Mr. Provanzo asked why Armstrong is asking to rezone this now. Ms. Zimmerman reiterated that Armstrong has been talking with people for a very long time about this land and after all of these talks Armstrong has had with developers, they thought this was the best way to go.
12. Mr. Provanzo also asked if Armstrong has considered the impact this will have on the school system and if they have talked to the schools and other key players, stakeholders and residents in the community?
 - a. Ms. Hoffer said that Armstrong did reach out to the school district when they were getting ready to build the elementary school and mentioned that this would be a likely scenario to attempt to rezone. That happened some time ago. Mr. Provanzo stated that they were not part of any past discussions so they were just trying to get caught up tonight.
13. Mr. Provanzo asked if Armstrong has thought about their plans for the other parcels. Ms. Zimmerman said that people approach them all the time about the land. The feedback that they have gotten from developers is that the tract of land is too large for them to do anything with. The developers don't want to look at it as one tract of land, they need it broken up for Armstrong to be able to do anything with this land and Armstrong knows they are not going to use it.
 - a. Mr. Engle said he completely understands that the Planning Commission feels like this is a blank slate. The other point is that it is industrially zoned so there are uses that are permitted by right if it meets the ordinances.
 - b. Public Comment
 - i. Mark Huber, 113 Shannon Drive, stated for the record that he does work for the Lancaster County Planning Commission, but he was attending as a resident and is not representing the Lancaster County

Planning Commission in any capacity. Also, he was not there in favor or against the rezoning and said in some ways it does kind of make sense. He said there was a lot of stuff going on with the site and as shown on the official map there are riparian corridors that are highlighted as a proposed resource conservation easement, but he said he would hate to see any kind of mitigation to reduce what is existing there.

- ii. Mr. Huber said there is also a corridor for a proposed pedestrian and bikeway and an existing buffer of trees that are 40-50 years old and he is hoping that they would be respected regardless of if it is developed as industrial or residential property.
- iii. He also suggested that the Stone Mill road extension would be part of any development that happens there.
- iv. Mr. Huber was disappointed to hear it stated that they don't think it is necessary to do a master plan because to him this is a growth opportunity area. He thinks Manor Township is selling itself short if this property is just looked at independently of everything else.

14. Mr. Strohecker said that one of the things that was brought up by the supervisors, himself and Mr. Smith was where do we go beyond these particular parcels. He said they talked a lot about the adjoining properties, urban growth boundary, and if it is a targeted area. He said they also talked about the developing trends that the Township is seeing. The bottom line is right now it is zoned industrial and they could put a huge warehouse anywhere on the property. He asked if it was better to have a box building or some kind of a nice residential community like is across the street and said those are the kind of planning things that you weigh out when you go through something like this.

15. Mr. Henke made a motion to table the discussion on Armstrong World Industries, Inc. rezoning petition until the next meeting on August 10. Mr. Harman seconded the motion and the motion carried unanimously.

Correspondence

Mr. Provanzo stated he is acknowledging receipt of a copy of the ACT 14 notification for the NPDS permit for Crossgates phase 7.

Mr. Ebersole said he handed out a hard copy of the Summer 2015 Township Planner to the committee members.

Mr. Witmer said he had a neighbor in Manor Township that lost all of their chickens and Mr. Witmer felt the fee charged by LCSWMA to dispose of the chickens was extremely high. Mr. Witmer feels when this type of situation occurs it is the Landfills responsibility to work with the residents. Mr. Strohecker said he understands Mr. Witmer's concern and that the way agreements are negotiated with the Landfill doesn't just involve Manor Township. It also involves PALE. He said the most recent negotiation did give enhancements to residents in that

part of Manor Township and they did not include what Mr. Witmer referenced. Mr. Witmer stated he thinks this is something that should be brought up to LCSWMA and the Supervisors.

Mr. Ebersole had stated he wasn't aware of the procedure of plans to be submitted to LUAB for review and asked Ms. Shellenberger what the qualifications are for plans to go to LUAB for review. Ms. Shellenberger said the LUAB board sees mostly rezoning and ordinance amendments. Ms. Shellenberger said she would make a copy of the requirements in regards to the LUAB committee.

On motion by Mr. Henke, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Kelly Clemens

Manor Township Planning Commission Minutes

Monday, August 10, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, August 10, 2015 at 7:00 p.m., in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Vice Chair Pamela Shellenberger called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Pamela Shellenberger, James Henke, Mark Harman, Don Mann, Keith Hoover
Members Absent: Jay Provanzo and Donald Witmer
Visitors: Jennifer Zimmerman, 2500 Columbia Avenue
Caroline Hoffer, Barley Snyder
Joel Young, Rettew Associates
David Miller, Rettew Associates
Brad Stewart, LCPC

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a correction to the July 13, 2015 minutes. On the second page under #2 the first line the word "Lancaster" should be "Land". Mr. Harman made a motion to approve

the July 13, 2015 minutes with the correction. Mr. Henke seconded the motion and the motion carried with Mr. Mann abstaining.

Old Business

Rezoning Petition – Armstrong World Industries, Inc. - Ms. Shellenberger advised that the Commission has received comments from the LCPC and LUAB has made a recommendation regarding this petition. Caroline Hoffer, Jennifer Zimmerman from Armstrong, and Joel Young from Rettew Associates were present. Ms. Hoffer stated when they met the last time there was a conversation about the impact of changing from an industrial classification to a high density residential flex zone. Joel Young stated after the last meeting they did more research into the site and plan. Mr. Young presented a conceptual plan for the Industrial Zone and one for High Density Residential flex. Mr. Young talked about the two plans that showed the riparian and floodplain areas that would remain open as an amenity. Mr. Young stated they looked at a strong connection that would allow for a future road that would potentially connect across the tract as the Township has on its future plan. Mr. Young stated the conceptual plan showed the type of development that could occur that would allow the amount of density the development would want with a similar sort of density that is seen in some of the existing communities. The intent is to develop this area to be complimentary to the existing uses. It is within the Urban Growth Boundary and the Growth Opportunity Area. The location also serves as a good connection with the existing communities. Mr. Young talked about traffic and handed out a traffic analysis that was done by their traffic engineers who know the site. Mr. Young indicated that this is not a traffic study. Mr. Young stated any land development that would come before the Township would have to do a full study and there would be associated improvements. Mr. Young indicated there was discussion on the amount of residentially zoned land in the Township and it appears there are four parcels still remaining that are zoned residential and not currently developed. Mr. Young stated of those four there are three that are single family residential and the fourth one is the remainder of the land below Stone Mill Road that is partially under construction. Mr. Young stated the proximity to utilities is necessary, it is contiguous to the desired zoning, and the property is contiguous to similar communities, which makes it ideally situated for high density residential flex. Mr. Mann verified they are addressing the connectivity issues. Ms. Hoffer stated the County also notes the connectivity is within the Official Map of Manor Township which protects it in a sense when a plan comes in there needs to be consistency with the Official Map. The fact the riparian buffers are shown and the proposed extension of Stone Mill Road and anyone who comes in with a development plan is going to need to accommodate those existing features in the map. Ms. Shellenberger stated one of the things brought up at the LUAB meeting was connectivity to the adjacent residential neighborhood to the north. Ms. Shellenberger talked about the possible update to the Comprehensive Plan and that the opportune time to evaluate this entire site may come following the Lancaster County Plan update. The evaluation of remaining industrial land would be included. Ms. Hoffer stated from Armstrong's perspective that they feel like this pocket is immediately adjoining residential property is not really suited in their minds for industrial development and they would like to proceed on this piece. Ms. Hoffer stated the acreage needs to be planned together and as a Township they can ask what the intent is for the rest of the 100 acres even if only a small part comes in. Because this is adjacent and consistent with the surrounding area, Armstrong would like to proceed with this. There is additional acreage that will continue to be in discussion with the Township as to what is the right direction. This is a piece Armstrong feels is best suited for

residential and would allow them to move forward. Ms. Hoffer stated this is a compatible use, the impact is no greater than an industrial development on this site, and infrastructure improvements would need to be made regardless of whether it is developed industrially or residentially. Ms. Hoffer stated they believe residential is the right future for this part of the site. It allows for future planning of other parts of the site as time goes on. This is long term and a large land holding and she believes the sense of trying to master plan all of this at one time, is not in Armstrong's mind nor realistic.

Mr. Henke asked Mr. Young what would preclude a developer from coming in and seeking a rezoning of the existing low density zones to a higher density. Mr. Young replied basically the Planning Commission. Mr. Henke expressed his concern with the traffic and how any improvements that were required to handle the traffic would be accomplished.

Mr. Hoover stated there is a tract zoned high density flex across the road and since he has been on the Commission nothing has come through for that tract.

Mr. Harman stated residential makes sense but he would be more comfortable with the master plan for this property. He would like to see someone invest effort and time in that rather than the Township changing this to residential and not knowing what will happen. Mr. Harman felt if someone was looking to develop the tract they would have more back and forth with the rezoning but once it is rezoned it will be more difficult for them to step in and get them to work with them.

Mr. Stewart from the LCPC agrees there should be mixed use. He stated that the tracts may not be beneficial for industrial or retail, plus both the tracts have riparian corridors that make it difficult for industrial to be there. Mr. Stewart talked about the Fairstead Plan and there was discussion regarding the density and the road connection, etc.

Mr. Young stated that the location of these tracts, adjacent to the surrounding residential areas is the best case for the tracts to be a residential parcel. Mr. Young stated it is logical based on the location of the zoning, road, riparian area, and the proximity to established neighborhoods. Mr. Hoover stated he can take those points and agree but as soon as you move that high density line out to the southern border then you can make that same logical argument for the next tract to the south and to the east.

Mr. Henke stated he feels there is sufficient residential land in Manor Township that can be developed even if it requires a rezoning or something they would have to look at and he is still concerned with traffic for the health, safety and welfare of Manor Township as it relates to the rezoning request. Mr. Henke stated he would feel differently if there was a developer on board who could make some commitments to the Township as it relates to how it would be developed and based on that Mr. Henke is not ready to recommend approval of the World Armstrong Industries rezoning request. That is Mr. Henke's motion. Mr. Harman seconded the motion and the motion carried unanimously to recommend that the property not be rezoned at this time.

Ms. Hoffer stated they are trying to let a developer know that they can proceed subject to doing the work. Ms. Hoffer asked if she could get a sense from this group if they would be receptive to a developer. Mr. Henke does not disagree that if some of this is going to be rezoned it appears to be a good corner. Mr. Henke is concerned with the infrastructure. Ms. Shellenberger pointed out there is other land available for development that is already zoned that will dump onto South Centerville Road also. There was extensive discussion on the traffic issues in the area.

New Business

Project #15-008-Final Land Development Plan for SDR Development, Inc. - David Miller with Rettew Associates presented the Land Development Plan. Mr. Miller stated this is a proposed assisted living and memory care facility located on Temple Avenue and Millersville Road at the site of the former Hambright Elementary School. The facility will be demolished and a new facility will be put in place. There will be parking designated for visitors and there may be a few residents that will have a vehicle. The access drive for the visitors and the tenants will be located off of Temple Avenue. Staff and loading will be from the access drive located across from Ursinus Avenue. They have the review letter from the Engineer. They are requesting the five following modifications: Section 305.A-Preliminary Plan Application, Section 502.5.B.1-Reconstruction of Existing Streets, Section 502.11.A.1-Curbing along existing streets, Section 502.12.C.2-Sidewalks to be located within the street right-of-way line, Section 503.1.D-General Standards; requiring vertical and horizontal alignment standards for access drives, and Section 503.1.E-General Standards; requiring the same intersection standards for access drives that are required for local road existing driveways on the plan. Ms. Shellenberger asked if they saw any problems with meeting Buchart Horn's comments and Mr. Miller stated there would be no problem. Ms. Karla Farrell from Buchart Horn had several questions regarding the curb and the sidewalk along Millersville Road.

Mr. Henke stated he is pleased with the reuse of the property. Mr. Henke stated several times the Planning Commission and Supervisors indicated they were not pleased with the access drive location. Mr. Henke questioned why they did not make a change in the access drive when the Planning Commission first expressed their feelings. Mr. Henke asked why the access drive cannot be aligned with the access drive across Temple Avenue to make a four way. Mr. Miller talked about the radius of the driveway, as well as the location of the building. Mr. Miller also addressed the screening and emergency vehicle accessibility. Mr. Henke stated he ran an auto turn zone for a fire truck and it worked so he believes fire equipment can make it if the driveway were aligned with the one across Temple Avenue. Mr. Henke stated the Veterinarian Clinic on the corner parks vehicles probably on the school's land and suggested if there is an opportunity for the developer to reach out to the clinic to work something out with the clinic's parking situation it may save some headaches down the road. Mr. Henke stated he realizes it is not the developer's problem but is just making a suggestion. Mr. Ebersole stated the owner of the clinic was given contact information for the developer by the Township.

Ms. Shellenberger had a question regarding the plan that showed a property line to be extinguished. Mr. Miller explained there is a note on the cover sheet and as part of this plan the two lots will be consolidated into one.

Ms. Shellenberger stated the plan would remain a briefing item due to the number of comments that are on the review letter and it will be considered at the next month's meeting as an action item.

Mr. Henke had questions regarding the curbing on Temple Avenue as to the height. Mr. Ebersole indicated he would talk to the Public Works Director and get his opinion on the curbing.

Mr. Harman stated if the access drive can be made compliant, but the applicant chooses not to design it that way, there needs to be a good reason. Ms. Shellenberger stated alternatives for the design of the building should have been looked at in order to be able to meet the ordinance, not just say this access drive cannot fit this building. The building should have been adjusted to meet the ordinance.

Mr. Mann stated in the best use of the property that sometimes the aesthetics and best uses can trump some of these stringent regulations. Mr. Mann stated the design may have created this problem but he felt this was the best they could come up with.

Other Business

DEP Planning Module Component 4A-Municipal Planning Agency Review for SDR Development – Mr. Ebersole asked if Planning Commission wanted to keep the same process for the Planning Modules. Mr. Ebersole advised there was a few issues with this Planning Module and he is in communication with Rettew Associates to determine the status. Mr. Young stated LASA is requiring a full module. They are rechecking on the requirement for a full module.

Lancaster County Transportation Alternatives Application Consistency Letter – Safe Harbor Trestle Bridge Rehabilitation Project - Ms. Shellenberger stated the Township is submitting to the County for a Transportation Alternatives Grant that requires a letter of consistency from the Planning Commission with regard to prior planning documents. Mr. Henke made a motion that Ms. Shellenberger be permitted to sign that letter in lieu of the entire Board in case it has a subsequent letter at a later time. Mr. Harman seconded the motion and the motion carried unanimously.

Ms. Shellenberger stated just to reiterate that several Planning Commission members mentioned in e-mails that the Planning Commission would appreciate notice of these projects even if a letter is not required. Mr. Ebersole stated he would pass the request along and make a note that when these things come along they can be at least put on the agenda.

Ms. Shellenberger asked if the Township's Official Map is available in some type of format that they could have a copy of it. Mr. Ebersole stated he did just get a PDF file and he can e-mail it to the Commission.

Mr. Henke made a motion to adjourn the meeting. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, September 14, 2015
P.M

Time: 7:00

The Manor Township Planning Commission met on Monday, September 14, 2015 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603.

Chairman Jay Provanzo called the meeting to order, introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, Pamela Shellenberger, Keith Hoover and Don Mann
Members Absent: Donald Witmer, James Henke and Mark Harman
Visitors Present: Ruth Devenney, High Associates
Mike Leichliter, Penn Manor School District

Public Comment -There was no public comment.

Minutes - Since there was not a quorum, Mr. Provanzo stated the August minutes will be approved at next month's meeting.

Old Business

Project #15-008 – Final Land Development Plan for SDR Development, Inc. – David Miller from Rettew Associates gave a brief overview indicating the site is the former Hambright Elementary School at the intersection of Millersville Road and Temple Avenue with frontage on Hawthorn Drive. The existing facility will be demolished and a new 80 unit personal care and memory care facility would be constructed. There will be parking for visitors and residents, who would have vehicles, off Temple Avenue and parking for staff and the loading areas will be off Hawthorn Drive. The access drive off Hawthorn Drive has been located across from Ursinus Avenue. A letter was received from Buchart Horn dated September 4, 2015 and the applicant has no issue addressing the comments. Mr. Miller listed the following waivers being requested: Section 305.A – Preliminary Plan Application, Section 502.5.B.1 – Reconstruction of Existing Streets, Section 502.11.A.1 – Curbing along existing streets, Section 502.12.C.2 – Sidewalks to be located within the street right-of-way line, Section 503.1.D – General Standards requiring vertical and horizontal alignment standards for access drives and Section 503.1.E – General Standards requiring the same intersection standards for access drives that are required for local roads briefly explaining the reasons the waivers were being requested. Mr. Miller stated they have received their sewer planning exemption from DEP, the Conservation Districts permits are under review and they have submitted to the emergency services but have not received anything. At the Supervisor's meeting, there was a representative from BRFR with a request that the developer would consider using the existing building for training before it was demolished. Mr. Provanzo asked Mr. Miller about Item #4 of the review letter concerning the sidewalk along Millersville Road being extended to the property line. Mr. Miller stated originally the sidewalk was to the northern property line and there was a suggestion that the sidewalk be taken to the right-of-way. Ms. Shellenberger had questions on the lighting. Mr. Miller advised there would be a light at each intersection as well as lighting within the islands for the parking facility and lights to the back that will be shielded from adjoining property owners. Mr. Provanzo had questions on the curbing asking if Mark Harris had any issues with the curbing. Mr. Ebersole stated it was communicated to Rettew Associates and the applicant that the curb height at four inches is okay as long as it is uniform.

Ms. Shellenberger made a motion that the requested modifications for Signature Personal Care and Memory Care dealing with Section 305, Section 502.B.1, Section 502.11.A.1, Section 502.12.C.2, Section 503.1.D and Section 503.1.E be recommended for approval based on the comments from the engineer indicating that they also recommend approval based on

justifications provided in the applications. Mr. Mann seconded the motion and the motion carried unanimously.

Ms. Shellenberger made a motion that the Final Land Development Plan for Signature Personal Care and Memory Care be recommended to the Board of Supervisors for approval contingent upon the applicant satisfying the SALDO comments, the Storm Water Management Ordinance comments and Landscape Plan comments in the letter from Buchart Horn dated September 4, 2015. Mr. Mann seconded the motion and the motion carried unanimously.

Other Business

Discussion of zoning requirements for multiple family dwellings and units per acre - Mr. Provanzo stated they were asked to consider if the Planning Commission would like to recommend any changes to the zoning ordinance for multifamily dwellings. The residential flex zone allows 14 units per acre and there was concern voiced by Planning Commission members regarding the density. Mr. Strohecker stated the Township is trying to get an infrastructure study done by December 7 and are working with Rettew to complete the study. Mr. Strohecker stated that they would like to have documents in place for upcoming potential projects. There was a concern with apartment buildings coming into a high density flex zone and this is a change that could be incorporated with other changes that are being done to the Zoning Ordinance and SALDO before the end of the year. Ms. Shellenberger suggested a way to lower the allowable density of multifamily units could be a use by right, but give incentives to encourage the cluster development provision. With a cluster development provisions you could allow a little higher density but also require that there be a mix of uses so that you could not have 100 percent of any one dwelling type. Mr. Strohecker asked Ms. Shellenberger's thoughts on making multifamily units a conditional use. Ms. Shellenberger stated conditional use puts it into the hands of the Supervisors to be able to place additional restrictions, but she does not believe those restrictions can relate to the mix of uses unless that is specified in the ordinance. Ms. Shellenberger stated the applicant would pay for a conditional use hearing process and then again pay for a process to go through the SALDO review. Mr. Provanzo had concerns with lower density and how it would affect a smaller tract. Mr. Provanzo questioned when you get to a flex zone do they consider there must be two uses and one use can be no less than 20 or 25 percent. Ms. Shellenberger stated that is what she is suggesting through the cluster provision, that you would require the applicant to do a mix of uses. Mr. Provanzo questioned how this would affect other zoning districts. Mr. Ebersole advised cluster development for high density residential and high density flex is required to meet same criteria through the Zoning Hearing Board. Ms. Shellenberger stated she would prefer to see a conditional use as opposed to a Zoning Hearing Board special exception since you are looking at more site design type of items that the Supervisors are more familiar with. Melissa Kelly from Rettew Associates referenced Rapho Township's ordinance noting how that ordinance dealt with some of the issues discussed. Mr. Provanzo questioned what the easiest solution would be, a conditional use or an overlay. Ms. Shellenberger stated she believes it must be done in combination. Mr. Provanzo stated what he envisions in a large project is a diversity of housing types and housing should be provided for every level of buyer. Mr. Provanzo stated that he believes that the number of multifamily and townhouses per acre should be the same and bump it to 14 units/acre in the cluster with a mix. There was discussion on the percentages for the uses with the Supervisors having the ability to change the percentages. Mr. Strohecker stated the Supervisors have the ability at this time to make a change in the percentages and at this time the Supervisors are the only ones who have the

authority to do that. There was a question as to whether the developer would have to get further zoning approval and Mr. Strohecker stated they should go to Zoning Hearing Board but the Supervisors also have the ability to make that change. Ms. Shellenberger stated she thought that per the MPC the Zoning Hearing Board could change the Zoning Ordinance. Mr. Strohecker stated when you go through special exception or a variance he would agree. Ms. Shellenberger stated if the ordinance said one thing it would need a variance to change that unless it was built in giving the Supervisors the right to change it. Mr. Provanzo stated they could make a legislative change. After extensive discussion, Mr. Ebersole stated what he has taken from the discussion is lower the units per acre, promote the cluster provision use to provide for a mix of two or three dwelling types, and apply a percent to those with a sliding scale approach where the increase in open space could increase the density. Mr. Ebersole asked that if staff and our engineer took this information and had something for the next meeting is that a fair representation of what has been talked about. Mr. Provanzo questioned if it was achievable and was advised it would be possible in a draft form. Mr. Strohecker advised there are numerous ordinance changes that have been accumulated over the last several years that will be brought before the Planning Commission probably next month. Mr. Strohecker stated there is quite a lot to be accomplished by the end of the year plus the infrastructure study he is hoping to have a draft version at some point in time. Because the infrastructure study has to be expedited, they are wanting to do that in coordination with Mr. Caldwell on a staff level to get it done and get a draft out so that it can be looked at in draft format and be able to critique that portion. Ms. Shellenberger as if they would be focusing on particular roads rather than the Township as a whole. Mr. Strohecker stated there is a list of things they have compiled if the Armstrong tract is rezoned that they want to see as a result of that rezoning such as right-of-way, center lanes, turning lanes, etc. Mr. Strohecker stated they have identified a particular area with the primary road being South Centerville Road and surrounding intersections. Ms. Shellenberger asked if the Township would ever consider a traffic impact fee ordinance. Mr. Strohecker stated there has been no discussion about it. Mr. Strohecker stated his focus with the Armstrong issue and surrounding issues is what can they identify today pertaining to infrastructure that they know they need to ask for when plans come in. Mr. Strohecker stated South Centerville Road would be impacted, so they can have developers pay for the turning lanes required, additional right-of-ways, signalization etc. Mr. Strohecker stated for next year's budget they are looking at the intersection of Charlestown and Millersville Road adding a turning lane to mitigate the backup that occurs during peak hours. Mr. Hoover asked what the rush was and did it have to do with Armstrong. Mr. Strohecker stated 14 years ago was Fairsted and has known the area has been targeted for development and the Township has done nothing during that time to plan for development. Now there is a private entity that has said they do not want the land, and is going to move it and wanted to talk to the Township how they would like to see it developed. The feedback was that the Township is in agreement that the land is targeted and it may be appropriate to put housing in that area of the Township. Answer to why the rush, Armstrong has stated very clearly it does not have to be rezoned but if the land is not rezoned, they are going to use the current zoning to put in industrial uses, with a focus on warehouses, which the Supervisors do not want to see. Mr. Strohecker stated there could be an update to our official map. Mr. Strohecker stated there are some important things the Township would like to see on the official map such as 25 acres of parkland on the Armstrong site.

Correspondence

Letter was received from Penn Manor School District regarding a meeting on October 8, 2015 regarding options being considered for the high school.

Mr. Provanzo adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Donald Mann
Secretary

Evelyn Rineer
Recording Secretary

Manor Township Planning Commission Minutes

Tuesday, October 13, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Tuesday, October 13, 2015 at 7:00 p.m., in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, Pamela Shellenberger, Donald Witmer, Keith Hoover, James

Visitors Present: Henke, Mark Harman and Don Mann
David Hunt, 704 Stehman Church Rd

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger noted three corrections in the August 10, 2015 minutes. Mr. Mann made a motion to approve the August 10, 2015 minutes with corrections. Ms. Shellenberger seconded the motion and the motion carried with Mr. Provanzo and Mr. Witmer abstaining.

Mr. Mann made a motion to approve the September 14, 2015 minutes as distributed. Mr. Hoover seconded the motion and the motion carried with Mr. Mann, Mr. Henke and Mr. Harman abstaining.

New Business

Proposed Changes to the Manor Township Zoning Ordinance and to the Manor Township Subdivision and Land Development Ordinance - Mr. Provanzo stated at the last meeting there was discussion regarding maximum density as it relates to the Zoning Ordinance and in addition

Mr. Ebersole mentioned there was a list of accumulated changes to be made. Mr. Provanzo stated tonight is only discussion there would be no action taken.

Mr. Ebersole advised they would begin with the Zoning Ordinance edits. Article 1 - Edit definitions in Section 111 - Revised Agri-tainment to include weddings, Added Conversion Apartments, Deleted Boarding House, Added different language for Group Home for consideration, Added Home Based Business: There was discussion on the language for Group Home. Mr. Ebersole stated conversion apartments were defined, livestock was clarified, and a definition and criteria was added for Home Based Business to provide for more rural uses that currently exist but may not be legal. David Hunt, 704 Stehman Church Road indicated with the current Ordinance in order to have a business in Agricultural or Rural Zoned land it has to be family based with only one individual who is not a family member working for you. Mr. Hunt stated he operates a landscape company that has several employees who are not family related. Mr. Ebersole stated there are several cases similar to Mr. Hunt, therefore they tried to work something to accommodate these cases and still have them get the approval from the Zoning Hearing Board. There was discussion on the definition of the Home Based Business, Kennels, and dwelling types. There was discussion on lot coverage and pervious surfaces. There was a suggestion that a definition be added for pervious surface.

Article 2 - No changes.

Article 3 – Section 312.15.3.A - deals with screening of a parking lot. Ordinance now states parking lot shall be screened from adjoining residential property. The revised texts now states if separated by the road they are not required to screen. Section 311.2 – Access Drive separation distance was recommended to be 200 feet.

Article 4 – Section 403 provides criteria for the definition change of Agri-tainment. Section 403.6 adding requirement for hours of operation and management plan.

Section 440 – changing lawn care business to home based business. This is an effort to help those who do not fit the definition of home occupation. It was suggested that the definition of lawn care business be deleted. The number of employees and storage of equipment is being looked at under the home based business. It was suggested that in Section 440.2 there be a clarification a single family detached dwelling instead of a single family dwelling. There was a suggestion that the sports facility criteria be looked at.

There is a recommendation to do 8 units per acre in the High Density and High Density Flex and if developer wanted up to 12 units per acre they would have to go through the cluster development which is a special exception. The Planning Commission indicated they would like to see the cluster development be a conditional use. There was discussion on the open space indicating a definition clarification for open space is needed.

Article 5, 6, & 7 - No changes

MANOR TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE EDITS

Article 1 - Edit date in Section 101

Article 2 - No changes

Article 3 - Edit number of copies in Section 303 along with various text edits. Edit number of copies in Section 304 along with various text edits. Mr. Ebersole stated this section is the number of copies required for a submittal.

Article 4 - No changes

Article 5 – These changes are requested by Mr. Harris, the Public Works Director, who over his years of experience these are things he saw after they were constructed didn't necessarily work out as intended.

Edit text in Section 502.1 items L, O, and Q

Edit text in Section 502.5.D – eliminate transition, add match existing cartway width

Edit chart in Section 502.6 – eliminate local street options A & B

Edit in Section 502.6.D – eliminate text for powered spreader, add new text for tack coat

Edit Section 502.14.A – added text for dead end streets as item A instead of item G

Edit Section 502.14.F.6 – remove hammerhead/T-turnarounds

Edit Section 502.14.F.11 – added no parking on the cul-de-sac

Edit text in Section 502.14.G.3 – added text for liquid fuels money

Edit text in Sections 504 & 505

Edit Section 507.2 – remove entire Flag Lots section – Mr. Caldwell stated he does not believe flag lots should be removed. They are permitted under zoning and they should be kept.

Edit Sections 509.5.E & F – eliminate several tree species, add item for native species – There were tree species that were not living and not native so they were swapped out for other trees.

Edit Section 511.C.2 – add language excepting agricultural – Park & Recreational Language

Article 6 - No changes

Article 7 - Edit Section 709 – added refer to Storm Water Management Ordinance for As-Built

Requirements, eliminate items in this section

Appendices

A-10 (Application) – Added Sketch Plan to #7

A-39 (Typ. Street Section w/ Curb & Sidewalk) – Added note #6

A-47 (Type 1 Curb Ramp) & A-48 (Type 1A Curb Ramp) – Added note to detectable warning surface for truncated domes

A-50 (Concrete Sidewalk Detail) – Added note #5

A-54 – Removed Flag Lot detail

A-58 – Added Accessory Dwelling Guidelines

Mr. Ebersole stated he and Mr. Strohecker talked about implementing a protocol where an applicant with an agricultural project could seek a waiver from the Land Development requirements. This waiver we be approved/not approved by the Supervisors.

Echo housing falls under accessory dwelling that covers a structure for farm employee housing and would be recognized as temporary for specific uses and it gets recorded.

Infrastructure Study

Mr. Caldwell stated they picked out a growth area that is bounded by Donnerville Road to the west, Columbia Avenue to the north, Millersville Road to the east, including farms outside of Millersville Boro accessed off Route 999, and Route 999 back to Donnerville Road. Land uses were assigned to areas for purposes of this assessment. The purpose of this is to look at traffic, water, sewer, emergency services, public safety, and recreation. Mr. Strohecker asked that the former Wal Mart tract be looked at as being residential. Melissa Kelly stated the area that Mr. Caldwell noted is about 2,800 acres and there is nine labeled properties that have the potential for some significant development which equate to about 1,100 total acres. They are looking at approximately 3,200 residential units, 500,000 square feet of commercial/industrial, including the Wal Mart tract as commercial so that number will change. There are approximately ten

intersections that will be impacted in this area. Ms. Kelly stated they are looking at getting this draft to the Township by Friday allowing about a week to come back with comments so they can finalize it to get it back to the Township for the November Board of Supervisors Meeting. Ms. Shellenberger asked if recommendations will be included. Mr. Caldwell stated there will be issues that will be identified that need to be addressed. At this point, this is more of an overview putting it on paper for everyone to see what the properties are that can be developed and what the numbers equate to. Mr. Caldwell stated certain intersections are identified to provide a dedicated right turn lane, two through lanes, and two left turn lanes. It does not say how long the left turn lanes need to be for the stacking or what is required on the street receiving the dual left turn lane. That is the next step from this when you would actually do a traffic study. The goal is to give the Board a heads up that these are the infrastructure issues that will need to be addressed as this area is developed.

Mr. Henke asked if there has been any discussion regarding a Traffic Impact Ordinance. Mr. Caldwell stated an ordinance may come out of the discussion of this. There was discussion pertaining to existing traffic problems on Centerville Road as well as future problems when further development occurs in East Hempfield and Manor Township.

Mr. Strohecker stated that this infrastructure study is meant to give the Township a tool to be able to identify areas that need work in the Township. Ms. Shellenberger was trying to visualize how the Supervisors would use this report to negotiate with a developer. She questioned whether this will say more than the potential to generate “x” number of vehicles on South Centerville Road as a result of these pieces being developed or will it suggest things that need to be done to accommodate that additional traffic so the Supervisors have a tool to negotiate at this site to get off site improvements. Mr. Strohecker stated the Township is not in a strong position to negotiate and this helps get them a little closer. Mr. Caldwell stated there will be recommendations for intersection improvements but not down to precise improvements that are needed. Mr. Strohecker stated they are asking the study to show the problem areas then as a Township they need to figure out how to handle the problem areas going forward. Mr. Strohecker stated they are not just looking at traffic. Part of this process is identifying on the Official Township Map connectivity, park land, and right-of-ways. Mr. Caldwell reinforced that this is just a start. Mr. Strohecker stated the Supervisors allotted a specific amount of money to come up with something on paper that shows what some of these impacts are going to be.

There being no further business the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, November 9, 2015

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, November 9, 2015 at 7:00 p.m., in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, Pamela Shellenberger, Donald Witmer, Keith Hoover, James

Henke, Mark Harman and Don Mann

Visitors Present: See attached Sign in Sheet

Public Comment

Steve Natur, 140 Walnut Hill Road, expressed his concern with the condition of the Funk property on S. Duke Street.

Terry Hohenwarter, 122 Walnut Hill Road, agreed with Mr. Natur's concerns with the Funk Property and would like to see the project move forward.

Minutes

Ms. Shellenberger indicated a correction on Page 3 in the top paragraph the second line. Ms. Shellenberger made a motion to approve the October 13, 2015 minutes with the correction. Mr. Henke seconded the motion and the motion carried unanimously.

New Business

Ms. Shellenberger made a motion to make a change in the agenda by taking New Business before Old Business. Mr. Mann seconded the motion and the motion carried unanimously.

#15-009 – Village at Funks Farm Project, Preliminary Subdivision and Land Development Plan - Bill Swiernik with David Miller Associates along with Bob Wolf representing the developer, Rodney Fenstermacher and Doug Motter with Homestead Village presented the plan. Mr. Swiernik stated the plan was previously processed as a special exception and received approval. The plan for the development has not changed much from the special exception submission. Mr. Swiernik stated this is a preliminary plan for the entire development and will process a final land development plan for the individual phases of the project at some future time. Mr. Swiernik stated they received comments from the Township Engineer and from the LCPC. The plan has been submitted to the Lancaster County Conservation District for their evaluation of the sediment erosion control measures. Mr. Swiernik advised the project is located along S. Duke Street and bound to the north by Walnut Hill Road. The image and layout shown are generally similar to the special exception. There will be three lots resulting from the plan. Lot #3 will be the pump station, Lot #1 will be future lands for commercial development at the northeast corner and Lot #2 will be the main area for development on the site. They have proposed 407 individual cottage units and a 75 bed care facility. There will be three access points proposed along South Duke Street. The northern access will enter into the

commercially zoned and future development area, the central access is the primary entrance into the site, and the access to the south is proposed as a right in right out at this point. All roads will be constructed to Township specifications but will be owned and maintained by the landowner. The intention of the character of the community is to create a pedestrian level space where individuals would access the sidewalks along the roadway. There will be multi-story units with six buildings, including parking below them as a future phase in the development. The first phase would come off the center drive and include storm water management improvements and the pump station. The site is bisected by somewhat of a ridge with the water draining to the west and the east. They have proposed storm water management facilities to accommodate the increase in impervious area as a result of the site development. Those facilities would be built per the requirements of the Manor Township Ordinance. There will be water quality measures and BMP facilities to accommodate and address the requirements for water quality improvements for the runoff from these newly constructed areas. There are requested modifications.

Mr. Witmer expressed concerns with the condition of the structures on the property, requesting they be repaired or removed. Mr. Wolf, speaking on behalf of the developers, stated they would cooperate with a plan that would remove the buildings. Mr. Wolf talked about the phasing and where the commercial parcel fit into the phasing. Mr. Natur asked if the developers would be willing to commit to when the buildings would be removed. This is the plan for development of the site and as such they can incorporate into this plan the removal of the buildings. Mr. Harman had questions on the roads being private. Mr. Motter stated it is traditional for retirement communities to keep the streets private. Ms. Shellenberger referred to the Decision of the Zoning Hearing Board pertaining to streets and access drives pointing out several of the requested modifications are requesting changes to something to be less than requirements of the ordinance. There was discussion regarding the sidewalks. Mr. Provanzo had questions on the phasing. Mr. Harman commented with the density and type of facility they would want to maximize the sidewalk as there is a greater probability of individuals walking around for fitness.

There was discussion pertaining to the sidewalk on the perimeter of the site as to the location whether along the street or have it placed on the property. Mr. Henke asked if there is any component of park and recreation attached to this. Mr. Swiernik advised there are passive areas. The dedication requirements have not been determined at this time. Ms. Shellenberger asked if there was any comments in the Rettew letter that would be an issue or problem. Mr. Swiernik stated feedback on the sidewalks would be helpful. Mr. Henke had questions on the sewer service, water, and gas. Mr. Harman asked if site testing has been done and he was informed there had been testing done. Mr. Henke asked if the fire department may want a hydrant installed and Mr. Swiernik advised they would talk to them. Mr. Swiernik advised they have not submitted to Penn Dot. Procedurally, they like to get the Township's input and will meet to discuss in more detail the traffic study and will reach out to Millersville Borough. The traffic study was part of the special exception process. This development, with commercial as a future phase, warrants certain improvements along the road way. At this point there are no offsite requirements as part of the traffic evaluation. Mr. Henke had questions on the age limits in the community. Mr. Motter noted that the residents do not contribute to traffic jams they seek to minimize traffic jams. Homestead Village does provide transportation to different locations that results in a reduction in trips to and from the site.

Ed Arnold, Millersville Borough Manager, referred to the sidewalks stating he fails to see how they connect with a neighboring community such as Crossgates. Access could give residents access to some University recreational activities that the age group may be interested in exercising their way to and from. Mr. Arnold feels they are missing the big element of connectivity in the whole project with neighboring communities. The traffic of families who visit their parents who live in these places is what is going to spur the traffic increase. Mr. Arnold stated they are in a University community and that student influx impacts that entire South Duke corridor by the change of a class. Mr. Arnold stated he does not know how the study accounts for that situation. Mr. Arnold stated they are proponents of the development but must look further than the lines on that development.

Rob Visniski with RAV Associates stated that Millersville Borough is currently working on the intersection of South Duke and West Frederick Street. The current preliminary plan is to realign North Duke Street to line up with South Duke Street. Mr. Visniski advised they had met with the applicant several years ago to talk about concerns. Mr. Caldwell stated the Applicant was asked to contact Millersville Borough to revise their traffic study to include this intersection alignment and analyze the impact their project has on the intersection alignment.

Harold James, 136 Walnut Hill Road, had questions on the type of buffer that would be placed between the proposed project and the residences along Walnut Hill, talked about a swale that fills up with an inch of rain and comes onto the neighboring properties and that Walnut Hill to Sun Lane seems to be a short cut for traffic which cuts off corners of properties.

Terry Hohenwarter is concerned about the timing of the project.

Steve Natur had questions on when the first phase of the project will begin.

Mark Talbot, 155 S. Duke Street, had questions on the widening of South Duke Street for road improvements.

Proposed Text Amendment to the Manor Township Zoning Ordinance – “Adaptive Reuse of a Historic Mill” - Mark Stanley, a partner with NcNees, Wallace & Nurick, along with Don & Laura Dombach, and John Metzger, a representative of the Lancaster County Historic Preservation Trust, presented the amendment. Mr. Stanley gave background stating the Dombachs own property at the end of Old Blue Rock Road that has a historic mill located on the property. In September of 2014 and prior to that time, they met with Township Staff to look at a proposed use of the property for special events venue facility. The mills are located along water sources and therefore within the floodplains. A special exception request was submitted as well as a use variance because the mills are normally located within a residential district or an agricultural district. Attached to the application is a plan that depicts the location of the eight mills located in Manor Township. The Zoning Hearing Board approved the special exception but denied the use variance and indicated that parking is not permitted for this type of use in a residential district. What they were saying is that there is an unnecessary hardship but the Zoning Hearing Board did not have the ability to approve the request. The Dombachs had two options. They could step back and do nothing with the mill other than what is permitted in residential district or do what in essence the Zoning Hearing Board suggested they do and that is a legislative fix, which is a text amendment to the Zoning Ordinance. They met with Township Staff, representatives of Lancaster County utilizing their GIS department to identify the specific locations of each one of the mills located in the Township, prepared a text amendment and submitted that to the Township. The amendment went to LUAB and LCPC for their recommendation. They are asking the Planning Commission for their recommendation and then

it goes to the Board of Supervisors. The details of the specific request is to create a new use in the district in which the mills are located and that is the adaptive reuse of a historic mill. Mills are large buildings, industrial in nature and difficult and expensive to retrofit. This text amendment gives the property owners an option through an incentive to adaptive reuse a building not a mandate. It gives the owner an option to have the ability to use it for limited retail and commercial purposes that would allow them to generate funds that they then can turn back into rehabbing the building and maintaining the building. This mill goes back to the 1700's. LUAB found general consistency and did recommend that all uses be by special exception which the applicant is opposed to. They suggested uses including restaurants, a bed and breakfast, small retail with limited square footage by right and an increase that would have larger impacts on the neighbors or surrounding property in those situations would go to the Zoning Hearing Board. Going to the Zoning Hearing Board is not an inexpensive proposition. Mr. Stanley indicated the number of people who were involved in the Zoning Hearing Board application for the applicant that went through three hearings and took a great deal of time. If the Township is looking to create an incentive for purposes of maintaining the mill they would ask the structure they suggested is the appropriate structure, but they have provided caps for the number of bed and breakfast units, square footage and also for special events. There is the Growing Together document, which specifically recommends and has strategies for historic properties and mills. The County's element of their Comprehensive Plan is called Heritage which specifically lists historic mills as part of the heritage of both the County and the Township and also encourages the use of the preservation of existing mills. What the applicant suggested by way of the Text Amendment is incentive based, as opposed to a hammer for purposes of facilitating the adaptive reuse of these structures. They see this as legislative in nature therefore, it is policy decision on behalf of the Township. They believe it is consistent and applicable with both Comprehensive Plans and if the owners would like to exceed the triggers, keeping in mind these are industrial buildings, they may choose to do more than what they suggested. At that point in time, the individual proceeds with the Zoning Hearing Board. Mr. Stanley stated they received Rettew's review letter and Mr. Stanley addressed the seven comments.

Laura Dombach gave a brief history of the mill, indicating it was built in 1771, it was burned in 1830, rebuilt by the Hersheys, produced flour for the Union Troops in the 1860's, purchased by Issac Groff, destroyed by fire in 1882, restored in 1883, changed hands several times, 1920's the Franz's owned it, sold in 1960's whose owners turned it into a restaurant in 1964 and operated as a restaurant until the mid-80's. When the restaurant closed it sat vacant until purchased by the Dombach's in 2012. The Dombach's have done some repairs basically to stop further damage.

John Metzger stated for many people it is a stretch to go into a zoning hearing to try to apply for special exception for a use for a property. The initiative here is to get a level for these mills that would allow people to go in for an allowed use for the particular structure. There are a very limited number of these old mills around and at one time in Lancaster County there would have been about 235 mills and there are less than 35 standing today. Lancaster County mills are nationally famous because they are one of the few mills that actually have an overshot wheel and also became nationally recognized and treated in artistic matters because of the symmetrical nature of the recognized mill. The mills are limited to areas that have water which is how they were run. What is being sought is to be able to use the mills and provide an economic incentive to allow people to have a business use that will enable them to adapt and rejuvenate these older structures. The Trust supports adaptive reuse and are 100% in favor of the text amendment that is being requested. Mr. Metzger referred to passages from the Growing Together and Heritage

Element of the Lancaster County Comprehensive Plan. Mr. Metzger asked the Planning Commission to imagine going from place to place and only being able to look at a property that would be similar to the one the subject of earlier proceeding tonight.

Mr. Stanley stated when they initially submitted the petition the Board of Supervisors asked them for a commitment to notify the neighbors which they did. They also reached out to each mill owner of the eight mills they located within the township and brought this petition to their attention to let them know what they were proposing.

Richard Wood, 1650 Stone Mill Road, lives in a mill built in 1770. Mr. Wood stated mills take a lot of effort, time and money to keep them going. Mr. Wood stated his mill had been converted into a home and it is a constant input of money for the upkeep. Mr. Wood stated these things must be kept alive so he would strongly encourage the Planning Commission to approve this type of variance so that some economic activity can be there that will keep these mills alive.

Mr. Stanley stated one thing they included was to address the offsite parking aspect of these type of uses. Most of the property will be located within the flood plain so there may be an opportunity to park on an adjacent property which is outside of the flood plain where you would want the parking for commercial use so you do not have the health, safety, welfare issue. If there is not the availability of adjacent property, they suggested an offsite parking within a radius of one mile if evidence is provided to the Township either for shuttle purposes or the ability to transport your potential customers/clients back and forth. With the very nature of these type of buildings, it is difficult for parking because the Township ultimately has a concern about putting a parking lot in a flood plain because of worst case scenario of heavy rains, flash flooding and having the people parked there put into danger.

Mr. Harman asked if anyone has thought about problems that could occur with offsite parking with possible higher rent than mill owner wants to pay or the parking would be removed. You have a successful operation but no longer have the offsite parking. Mr. Stanley advised controls could be put into place such as tied to the certificate of use and occupancy, could be a condition, could be a development agreement between the Township and the applicant. Mr. Stanley stated they suggested a long term arrangement. Mr. Caldwell recommended parking be within 300 feet but if you look at the Dombach property 300 feet would not even get them to Rt. 999. By creating the 1 mile radius it provides several alternatives such as church parking that is not used or a commercial property with excess parking that might be available. If one source of parking would go away, you might have the ability to have another source of parking and would simply have to have that agreement provided to the Township. Mr. Harman questioned why the 300 feet. Mr. Caldwell explained their comment in the review letter.

Ms. Shellenberger feels putting parking as far as a mile away may be conducive to a special events venue but cannot imagine it working for offices, restaurants and retail shops. Another concern was if these are located in a residential area where people bought in a residential zone because they want to have residences as their neighbor. Ms. Shellenberger is concerned if you allow these by right and a venue, office or restaurant becomes their new neighbor there is no opportunity for them to be able to speak out or have conditions placed on them. Ms. Shellenberger feels it could be a disservice to neighbors even though there are requirements.

Darcy Pollock, 401 Stehman Church Road, said she has lived in a mill for approximately 26 years. It is a unique building and people from out of the area are amazed with the building. Ms. Pollock told her story of how she purchased the property and gave some background information on the building. Ms. Pollock supports the amendment knowing there are downsides

to neighbors in a residential area but do you want an eyesore with roof falling in or want something that is a viable living building.

Brad Stewart believes this amendment is consistent with Growing Together and County, however, has to agree with comments if you allow this by right will the residents be able to voice their concerns in case something does happen like hours of operation, traffic, and possible shared parking.

Ms. Shellenberger stated from standpoint of Township Zoning Ordinance if you are looking at shared parking you would have to meet the requirements for that existing principal use as well as whatever the adaptive reuse would be.

Mr. Caldwell stated from administrative stand point the parking would be an agreement with the church stating on certain days they are not going to need the parking, therefore, they will lease the parking. The minimum requirements would be met and the church could not lease the parking and then turn around and not have spaces available. Mr. Caldwell stated in response to Mr. Harman's comment parking would no longer be available then the operation would not be able to continue. Mr. Caldwell stated there is many good things in the amendment and talked about specific things in the amendment.

Mr. Stanley said pertaining to the Dombach's mill they would not have to provide for offsite parking but they did not want to be site specific. They wanted to look at the other mills in the Township and provide for that option. By creating a special exception, Mr. Stanley stated he would almost prefer to look at the criteria closer as opposed to creating a special exception because that will create a disincentive. You would create a litigation and create a situation like they went through and submitted in September 2014 and did not get a decision for a year. Over time, zoning ordinances went from not having any uses permitted by right to having all special exceptions and conditional uses. What that did is create a no growth type of approach. There has been change where there is most uses by right and it is policy determination where the Township wants to encourage it. The Dombach's have gone out of their way both with the Zoning Hearing and in this to make sure that all the neighbors are notified. These are not small buildings. Neighbors will not miss these buildings and will probably have the option of the blue tarp on the building or providing for some limited commercial use. There is no commercial use that is permitted in residential zone. You cannot say if permitted in that zone it would be by right and if not it would be by special exception. Mr. Stanley is advocating for the text amendment and this is a policy determination the Township will need to make based upon your recommendation and recommendation of the other Boards this goes before. For reasons mentioned, if there needs to be fine tuning to the text amendment that at a minimum would provide for these uses by right up to that trigger where you would then might have a greater impact to your neighbors that is how they structured this.

Mr. Strohecker and Mr. Ebersole both spent time reviewing the amendment and they have not had any concern with the way it is written.

Ms. Shellenberger stated that the mill owners they heard from are the mills for residential purposes. Their concerns is the neighboring properties and what they would think of a business being established. Mr. Stanley stated their immediate neighbor is not enamored with this. They have been kept in the loop. They entered their party status at the Zoning Hearing and was represented by counsel. That goes back to that type of adversarial situation that drives the cost. They satisfied the criteria as to the traffic, site distance on Rt. 999 and some of the other criteria. They arrived at the point where the Zoning Hearing Board said this is not a use permitted in this

type of district. You cannot park in this type of district, therefore, they had no option other than to turn the application down.

Mr. Harman felt there would be problems created with a special event that is serving alcohol, running music until 10 p.m. and basically is not going to conclude to 11 p.m. and have off street parking a mile away. Mr. Harman stated there may not be a problem with this specific property but to give that a blanket use could create problems.

Ms. Shellenberger stated she believed a standard special exception procedure is different than a use variance procedure. When they went for a use variance, there was not specific criteria outlined in the Zoning Ordinance where when you have a special exception the zoning ordinance sets forth specific criteria for the Zoning Hearing Board to consider. Mr. Stanley stated from his experience if he wanted to stop something there is special criteria, there is general criteria, and he can stop a project through the Zoning Hearing Board. Mr. Stanley referred to Mr. Harman's comments stating they appreciate the comments and understand them. This was their attempt to try to address both sides.

Brad Stewart talked about West Donegal Township stating they have a special amendment for the Ironstone Ranch Property indicating in the amendment things were detailed such as parking and hours of operation.

Darryl Sensenig, 363 Hershey Mill Road, stated his structure was built in 1803. Mr. Sensenig stated he put a lot of time into the mill to keep it from collapsing never wanting to use it for anything just their pleasure. Mr. Sensenig stated his mill needs a new roof but he cannot continue to put money into the mill.

Mr. Dombach stated he and his wife started this endeavor in 2014 and they financed this all personally. It has been a learning experience and educational. They want to keep moving forward but if they cannot have the use by right it becomes a problem. If they take a business plan to a bank they cannot get financing because if they do not know whether they can move forward there is no opportunity for financing.

Mr. Henke questioned why the applicant does not take care of themselves and if any of the other seven want to do something they are forced to go to the Zoning Hearing Board. Mr. Henke stated site specific would allow them to do what they want to do. Ms. Shellenberger stated it does allow the same opportunity for the other ones if they can meet the requirements or they can come and ask for an amendment to the ordinance. Ms. Shellenberger stated a special events venue is not something every day of the week all day it is more sporadic which lessens the impact on adjacent properties.

Mr. Stanley stated what he heard would be recommendation for approval of the text change on the condition that if you had parking either on site or on a contiguous property it would be by right, and if offsite parking was offered you would have to come in for special exception. Ms. Shellenberger stated they must take action on what is before them. Ms. Shellenberger stated if there were changes she would want to see it again. Mr. Stanley stated the Planning Commission has options. They can recommend approval, denial, or recommend approval with conditions. To the extent they can modify the text before it is advertised, that is really the only requirement they would have to do. Once it is advertised they are really not in a position to change it in any significant way. Ms. Shellenberger asked if there would be a potential for a work session for them to see what is being developed.

Mr. Caldwell said with some minor adjustments to address some of the concerns they could come up with something that is going to protect the Township and best for overall. They can provide a level of uses permitted by right to get some flexibility.

Mr. Strohecker stated what Mr. Stanley laid out accomplishes the goal to keep things on track to get this done at the December Supervisor's Meeting. The recommendation he made accommodates the concerns the Planning Commission had with the other properties and still allows this particular one to go through. Mr. Strohecker stated what he was hearing in feedback and what Mr. Stanley was offering sounds like it is simple enough to make that change. They can get that accomplished before it is advertised for the public hearing in December. Mr. Strohecker feels very comfortable moving forward.

Mr. Henke questioned the commercial use aspect not knowing the square footage of it. Mr. Strohecker stated what he was hearing was concern with offsite parking that does not apply to this property.

Ms. Shellenberger stated her comment was the other uses. Are they going to say at this point the only adaptive reuse could be a special events venue and parking would have to be provided on site? Is that what they would be limiting it to? They would not allow any other uses at this point in time because they are not looking for those uses and not sure what the limitation should be or impact would be. Ms. Shellenberger stated if they are looking at moving forward she would say it would be limited to a special events venue and none of these other uses right now. If someone has one of these mills and wants to use it for something different than what is permitted in the zone it is located, they should come back and request an amendment to the zoning ordinance the same as these people.

Mr. Strohecker asked Mr. Stanley why they included the uses in the text amendment. Mr. Stanley stated if they would do this for just what they are proposing he believes he would have heard from at least one member how does this apply to the other historic mills in the Township. By going the extra yard looking at what they believe is appropriate in these mills they are limited in nature. Mr. Stanley went over the limitations on the uses. Mr. Stanley stated they looked to try to accommodate the other uses. Ms. Shellenberger stated all the other mills are allowed the same opportunity. Mr. Stanley stated this is the first step. They must get the use permitted then they have to go through the building code process which is very expensive, go through the land development process because they will have to provide for some parking and storm water whether there are waivers or satisfaction. The Township will see this again whether it is them or another mill. What they did with consultation with the Township Staff was to come up with this.

Steven Smith, 365 Old Blue Rock Road, lives adjacent to the property and proposed parking lot. Mr. Smith had several comments and questions. Mr. Smith stated he is thankful there is a process that gives him the opportunity to say something. Mr. Smith on the surface no one is in favor of letting old buildings deteriorate. Mr. Smith asked the following questions: if the Township allowed permits where there is disallowed development within the flood plain what are the implications for flood insurance and the ability of the Township properties to participate in the flood insurance programs, is there any liability to the Township in the event claims are disallowed because of unapproved development within the flood plain permitted by the Township, are the tax payers on the hook for those claims if FEMA is not allowing participation and now there are claims against the Township. Mr. Smith's comment is this appears to be a special purpose legislation applies almost exclusively to the Dombach's mill and mirrors their prior request for zoning variances. It feels like a repackaging of their prior application seeking to do indirectly what they were not allowed to do directly. It is wise to take each mill separately and each issue separately where lumping all together opens the door to confusion to unknowns to potential flood and development issues that affect other things. Pertaining to renting parking

at a church, most weddings occur on weekends which would seem problematic to be planning to use those type of places for parking at the times they are typically used. None of the existing mills are commercial and the ones renovated are residences. Commercial and low density residential were not what people were planning on having together when they bought into their properties. Mr. Smith has nothing against historic buildings. Mr. Smith struggles to see how the liabilities that could come about from this proposal are mitigated.

Mr. Provanzo asked if Mr. Strohecker know the answer to the flood insurance. Mr. Stanley stated the existing ordinance permits this type of development by its very nature it has a section of the flood plain ordinance that weighs design specifications of historic properties in the flood plain. The existing flood plain ordinance specifically permits this and that was the section they were proceeding under when they went to the Zoning Hearing Board.

Mr. Ebersole stated the applicant was granted approval for Section 211.9.5.

Mr. Henke asked if it is specific to the use and he was informed it is specific to the historic structure.

Mr. Smith asked if there is any plan for how the ingress/egress to this facility will be handled. If there are 100 vehicles backed up is there any proposal on how that would be handled. Mr. Stanley stated the Zoning Hearing Board asked them that question. They looked at the traffic and the Zoning Hearing Board made the decision that the road was wide enough at the access onto Rt. 999 through the testimony there was sufficient site distance. Mr. Stanley stated there is a limited number of parking spaces. The Dombach's live there and will be looking at that issue with respect to parking and traffic. One of the issues they looked at as part of the zoning process was trip generation comparison versus the prior uses, access and width of road way. The site distance on Rt. 999 was not required but the applicant had studies done and turning lanes would not be required.

Mr. Strohecker stated that there is a maintenance schedule created for all the roads. All of the Township roads like this are widened when they go through repair.

Ms. Shellenberger made a motion to support a text amendment dealing with the adaptive reuse of historic mills if the definition was revised to include a historic mill which is listed or is eligible for listing on the National Register. Also, the text should be limited to adaptive reuse as a special events venue which is use No. 6 under Section 462.2 with the criteria A through D as listed. The parking provisions would have to be located on the site or an adjacent site owned by the property owner or any other provisions currently allowed by the Zoning Ordinance. The lighting provision should be related to the lighting for off street parking facilities. Section 462.4 should require a buffer strip at least 25 feet in width. Section 462.6 should be clarified. Mr. Harman seconded the motion and the motion carried unanimously.

Old Business

Proposed Changes to the Manor Township Zoning Ordinance and to the Manor Township Subdivision and Land Development – Mr. Provanzo stated at the last meeting they discussed recommended changes to Subdivision Land Development Ordinance and Zoning Ordinance. The changes have been updated and the members received the changes. Beginning with Zoning Ordinance, Ms. Shellenberger recommend several corrections or changes. Mr. Provanzo stated under Section 605.3 there was discussion about special exception versus conditional use. The Planning Commission would like to see special exceptions come through the Planning Commission prior to going to the Zoning Hearing Board. Ms. Shellenberger stated it is a common practice in many municipalities.

SALDO – Section 502.12.B.5 Mr. Stewart felt there should be clarification. Ms. Shellenberger pointed out Article 3 – 303.C Application requirements the wording is awkward. She feels wording needs to be changed regarding the submission copies required.

Manor Township Infrastructure Study Discussion – A copy of the infrastructure study dated October 20, 2015 was recently accepted at the Supervisor’s Meeting. Mr. Provanzo stated the general consensus from the last meeting was they recognize how far the study has gone and some things needed to be considered, as well as identify the next steps. They need to look at the impacts from future development. Mr. Henke stated collectively they felt this report was lacking. It was a starting point but does not give what the Township needs to see. Mr. Provanzo stated a plan should be put together for the intersections of note and necessary funds should be allocated. Ms. Shellenberger feels a traffic impact fee ordinance would be beneficial for requiring offsite improvements. Mr. Henke agreed with Ms. Shellenberger that many intersections will have zero ability to require the developer to participate. The study suggests that improvements would go beyond the existing right-of-way. Mr. Henke would like to see based on this study what the improvement visually looks like. Mr. Provanzo feels the study provides the framework talked about. There are areas that need improvements and now they must take the steps and determine priority and how to proceed. Mr. Henke stated residential is clear cut as far as trips per day, the industrial uses proposed he is not sure where they fall in the realm of low impact versus high impact and if they are high is that an exaggeration on what the road improvements will look like if Armstrong gets developed in an industrial manner. Mr. Caldwell stated he looked at the sketch plan and all the uses on the tract include very large parking lots which tells him that is the higher end of what can potentially go in there. It will be closer to a more conservative on a higher trip generation than a business park might generate. Mr. Henke stated if developed with industrial in mind and that specific use came in and does their traffic study it may not be four lanes. Mr. Caldwell talked about industrial parks in the area he has had personal experience with. Mr. Caldwell stated the numbers for the industrial is on the high side. Mr. Henke stated if Manor Township is serious about looking at some of the intersections then there needs to be another step taken and identify as to what the improvements are going to look like and how do we get there.

There was no further business and the meeting was adjourned by 10:45 p.m.

Respectfully submitted,

Don Mann
Secretary

Recording Secretary
Evelyn Rineer

Zoning Hearing Board Minutes

Manor Township Zoning Hearing Board Minutes

Wednesday, January 7, 2015

Time: 7:00 P.M.

Bradley Singer called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, January 7, 2015 at 7:00 p.m. Mr. Singer led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian

Township Officials Present: Nickolas Ebersole and James R. McManus III

Visitors: See Attached.

Minutes - There were no additions or corrections, therefore, the December 3, 2014 minutes stand approved as presented.

Re-organization

Mr. Singer advised that the Manor Township Supervisors have appointed Mike Julian, Chris Peris and himself as members of the Board. The alternate is Alex Egner. Mr. Singer asked for nominations for Chairman.

Mr. Peris nominated Brad Singer as Board Chairman. Mr. Julian nominated Chris Peris as Vice Chairman. Mr. Singer nominated Mike Julian as Secretary. Mr. Singer called for a collective ballot. Nominations were approved by the Board.

Mr. Singer stated the Board has selected Jim McManus as Board Solicitor for 2015.

Mr. Singer stated the Board normally meet on the first Wednesday of every month, therefore, the dates for the calendar year 2015 will be January 7, February 4, March 4, April 1, May 6, June 3, July 1, August 5, September 2, October 7, November 11 (which is the second Wednesday) and December 2.

Old Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances. The Applicant would like to operate a special events venue. The property is zoned Low Density Residential (RL) and is in the Floodplain Zone (FP). Testimony to continue from the December 3, 2014 meeting. Mr. Singer turned the meeting over to Mr. McManus.

Mr. McManus stated the Board met initially to consider this application on November 5, 2014 and again on December 3, 2014. The hearing of this was formally opened during each of those occasions a continuous was requested by the Applicant through their Attorney Mark Stanley by way of an oral motion and a written request. Those requests were marked as Board Exhibits No. 1 and 2. At the November 5 hearing, James Thomas, Esquire entered his appearance on behalf of his clients Steven and Ann Smith who are property owners and own land adjoining property that is the subject of this application. At that time, there was persons in attendance and the Board

noted that when the hearing was reconvened they would have an opportunity to enter their appearance in this matter as party. Mr. McManus explained party status and asked if anyone wished to be a party. Fay & Harold Kramer, 341 Old Blue Rock Road own property close to the property that is the subject of this application. There was no objections and the Board accepted the Kramer's as a party. Grafton Brabson, 383 Ironstone Ridge Road, stated his property adjoins applicant's property but property line is the middle of the creek. There was no objections and the Board accepted Mr. Brabson as a party. Mr. McManus reviewed the procedure for the hearing.

Mr. McManus requested that Mr. Ebersole be sworn in. Mr. Ebersole stated his name is Nikolas Paul Ebersole and is employed as the Manor Township Zoning Officer and in that capacity he receives the applications that come before the Zoning Hearing Board. Mr. Ebersole stated he received the applications for Donald & Laura Dombach for a Variance indexed at Case #11-14 and Special Exception Case #10-14. Accompanying the applications was a plan of the property, list of adjoining property owners and a narrative explaining the purpose of the application. The Special Exception Application #10-14 was marked Exhibit #1 and the Variance Application #11-14 was marked Exhibit #2. Mr. Ebersole had published in the Lancaster Newspapers a notice of the time, date, place and subject matter on October 22 and 29, 2014. Proof of publication was marked Exhibit #3. The property was posted with a notice of the time, date, place and subject matter on October 20, 2014 that was the same notice as published in the Lancaster Newspapers. Notice of the time, date, place and subject matter was placed on the bulletin board in the lobby of the Township Building which is available for public inspection on October 20, 2014. There was no questions on the posting of the property or the notices. Mr. McManus asked that anyone who would be speaking on this application be sworn in by the Court Reporter.

Mark Stanley stated he is a partner with McNeese, Wallace & Nurick and is representing Don and Laura Dombach. Mr. Stanley briefly reviewed the request stating the request is twofold. Initially, they are requesting a Use Variance to utilize the property as a special events venue because it is not permitted in the RL Zone. The second request is the Special Exception and it is tied directly to the Variance request because they will hear the property is impacted and the mill property is impacted by the floodplain. Generally floodplain regulations either restrict, prohibit, or condition use, reuse, adaptation of structures or uses within the floodplain and they also provide certain design criteria if you are going to have a structure within the floodplain. Unique with this application is the Ordinance specifically sets aside a special classification that is in the case of historic structures either that are listed or eligible to be listed that the Zoning Hearing Board has the right to waive those sections specifically Section 211.9 and 211.10 of the Ordinance. Mr. Stanley stated in their opinion it creates a specific statement in the Township Ordinance that encourages the adaptive reuse of structures that are historic in nature. Mr. Stanley advised there will be five witnesses. Mr. Stanley listed the five witnesses and what they will be testifying to. The witnesses are the Dombach's who live on Old Blue Rock Road. George Smith with ELA Group and will review and discuss the floodplain, how the floodplain impacts the property, the unique impact it does have and the potential or lack of potential uses for the property based upon the floodplain that is there. Mark Henise with the ELA Group will talk about the site distance at the intersection of Old Blue Rock Road and Rt. 999 and will talk about the traffic and trip generation. They acknowledge there will be additional traffic so they wanted to look at the site distance at Old Blue Rock Road and Rt. 999 and look at the trip generation and compare it against what that traffic was when the property was previously used

for commercial purposes. Joe Patterson the Executive Director of the Historic Preservation Trust of Lancaster County will talk about the mill property, historic preservation and the key role that it plays not only in the Township but Lancaster County and will talk about how he believes that this is an appropriate adaptive reuse of this property for the wedding venue. Cheryl Love with the ELA Group will generally talk about the use, the RL Zoning Regulations, why she believes it is appropriate and that you cannot use this property for any other purpose that is otherwise permitted in the RL Zone. Mr. Stanley entered as Applicant's Exhibit #1 an excerpt from Growing Together Chapter 12 Historic Resource Protection and the first goal in Chapter 12 of the Township Comprehensive Plan is and states "historic resources will be preserved, maintained and reused to recognize and reinforce historic character of both urban and rural areas". Mr. Stanley stated with this as a premise they are dealing with a building that was initially constructed in the 1700's and reconstructed in the 1800's. It is important they be able to use it in a way that allows them to maintain it and preserve it for the future. Mr. Stanley called Don and Laura Dombach. Mr. Stanley asked that a portion of the Power Point Outline titled 380 Old Blue Rock Road Presentation be marked Applicant's Exhibit #2. Applicant's Exhibit #3 is a plan prepared by the ELA Group entitled Historic Mill Building Site Plan Exhibit.

Laura and Don Dombach presented testimony. Ms. Dombach stated they purchased the property at 378 and 380 Old Blue Rock Road in November 2012. Their home is located on 378 and the mill is located at 380. They are adjacent properties. The building was built as a mill in 1771 and operated as a mill until late 1840's. Ms. Dombach stated it was owned by the Herr's in 1830 and was destroyed by a fire, it was rebuilt and the existing structure is the structure that was rebuilt in 1831. In the 1860's it served as a mill that produced flour to support and supply food for the troops fighting for the Union in the Civil War. In the late 1860's, the mill was purchased by Isaac Groff whose Great Great Grandson, George Mann, lives in Manor Township and involved in the community. Ms. Dombach shared a story told to her by George Mann. Ms. Dombach stated in 1960's it was purchased and turned into a restaurant known as the Country Mill Restaurant. Hurricane Agnes created major damage to the building in the late 70's and the restaurant was reopened, it changed ownership in the mid 80's operated for another year or two when it was closed. The mill was vacant until the Dombachs purchased it in 2012 and started some renovations to preserve what was there and make sure no more damage would occur. Mr. Dombach clarified that the mill did not change ownership the restaurant was subleased by someone else. Ms. Dombach stated they had opened the mill up for their neighbors to look at and to share with them their plans for the property. Ms. Dombach stated they explained to the neighbors that after looking at several options it seemed a wedding event venue was their best options and answered questions their neighbors had. Ms. Dombach stated there was before and after pictures included in the packet given to the Board. Ms. Dombach stated during construction and remodeling they preserved some specific pieces that were in the mill. Ms. Dombach stated it is a mill which functions with water and they are located close to the Little Conestoga Creek. It is in a flood zone and they understand that. There was a storm in 2013 with approximately 7 1/2 inches of rain in a 36 hour time and again in 2011 with Tropical Storm Lee and in both situations they were inundated with rain, however, water did not reach the main level of the mill. Mr. Dombach stated they are looking at wedding venue as well as some smaller events such as birthday parties, retirement parties and family reunions. Days of operation will be Wednesday through Sunday and size of the events will be 175 people as that is the maximum occupancy for the main floor. Hours related to closing would be music off at 10:00 p.m. and lights out by 11:00 p.m. Mr. Dombach referred to Exhibit #3 pointing out the

proposed parking and stating they are looking to subdivide a lot between the parking and the residence of the Smiths. They are looking to build a house as their current house is in the floodplain and lower than the mill. In three to five years, they feel building a house there would provide a buffer between the Smiths and the parking, but in the interim they are proposing some type of landscaping as a buffer. Mr. Dombach advised they can get approximately 101 parking spaces and they believe that will be sufficient parking for the events. If additional parking was needed, they are working with Millersville BIC Church where they could do some shuttle service. They have their council meeting tomorrow night for the final vote for their request for parking. Ms. Dombach advised they will not allow parking on the street. Mr. Stanley stated assuming the Board looks favorably upon the application are the Dombachs willing to accept as conditions of approval the outlying conditions relating to the size and type of events, the days of operation and the music limitations. The Dombachs stated yes. The Dombachs stated it was important to get their neighbors involved and they tried to put themselves in everyone else's position. They wanted to keep everyone informed of what is going on and address their neighbors' concerns as best as they could. If they are unable to utilize the mill property for some type of economic benefit, they would not be able to continue to renovate, maintain and preserve the mill property. Mr. Thomas had questions. Mr. Thomas asked for the dimensions of the property at 380. Mr. Dombach advised the lot at 378 is 3.4 acres and the mill is 5.3 acres. Mr. Thomas asked if the parking is proposed on the mill property. Mr. Dombach advised the parking is on part of the house property. Mr. Thomas verified the mill property would not have parking but the house property will after future subdivision. Mr. Thomas verified there is not adequate parking on the mill property for the 101 parking spaces. Mr. Thomas had questions on the dates the mill was closed. Mr. Thomas had questions on Mr. Dombach's employment and the businesses he owns. Mr. Thomas asked if Mr. Dombach is aware that local municipal ordinances regulate the land use of buildings and the land and Mr. Dombach stated yes. Mr. Thomas asked if Mr. Dombach was aware before he purchased the property that Manor Township had a Zoning Ordinance and that Zoning Ordinance had regulations that apply to buildings and Mr. Dombach stated yes. Mr. Thomas questioned if the Dombachs were familiar with zoning concepts and Mr. Dombach stated in general. Mr. Thomas asked if they are aware of non-conforming use and that Manor Township Zoning Ordinance provides if there is a non-conforming use it can continue operating and Mr. Dombach stated yes. Mr. Thomas asked if Mr. Dombach was aware that the Zoning Ordinance provides if the non-conforming use ends after a period of time it is considered to be abandoned under the Zoning Ordinance and Mr. Dombach advised not when he purchased the property. Mr. Thomas asked if Mr. Dombach was aware that the Zoning Ordinance had regulations dealing with parking requirements, how parking lots must be built, access in and out of the parking. Mr. Stanley stated the Dombachs are aware of the structure of the Zoning Ordinance, what is in the Zoning Ordinance and they were aware when they bought the property it was subject to zoning. Mr. Stanley stated they are here tonight to ask for a use variance for this reason. They are willing to admit the Dombachs were aware of the Zoning Ordinance and it was zoned a certain way and that Zoning Ordinance as mentioned up front has certain floodplain conformity and non-conformity regulations. The reason they are here is to ask for the use variance so they can do it. Mr. McManus asked Mr. Stanley if he intended to have a witness testify with respect to the issues commented on by Mr. Thomas with respect to parking and other regulations effecting the development of the tract. Mr. Stanley stated they will review generally what they are doing but this is the first step. It is a request for permission to use the property. They understand that

after this to the extent the Board looks favorably upon the application there is certain subdivision/land development requirements, certain building code requirements but before they can get to those layers of regulatory controls they need to be able to know if they can use the mill property and the adjoining property as a special events venue. They are here to start the process. It cannot be all concluded here because the Zoning Hearing Board only deals with use as opposed to how they develop and design it. Mr. Thomas stated in the interest of the Ordinance the Applicant is required to testify as to what the proposed use is. Mr. McManus stated it is his advice that it is an appropriate line of cross examination and inquiry. Mr. Thomas asked if they know whether any of exhibits will show ground floor plans of the building. Mr. Stanley stated ELA Group will have ground floor plans based upon the floodplain. Mr. Thomas asked if there are any exhibits that show the elevations of the structure and Mr. Dombach stated yes. Mr. Thomas asked if there is scaled drawings of the site plan and they stated yes. Mr. Thomas had questions on the uses along Old Blue Rock Road after Hurricane Agnes. Mr. Thomas had questions on the bridge that was over the creek before Agnes and how the bridge was used. Mr. Thomas noted that Old Blue Rock Road is a dead end street so when having special event venue all traffic will come in and exit on Old Blue Rock Road. Mr. Thomas asked if they had a plan that shows the right-of-way for Old Blue Rock Road and he was told yes. Mr. Thomas verified the type of events and if there would be outside music parties. Mr. Thomas asked if events could be inside and outside the mill and they stated yes. Mr. Thomas asked if outside events would include tables, stage, etc. Mr. Thomas asked that the area for outdoor events would be pointed out on the plan. Mr. Dombach used Exhibit #A3 to outline the area that would be used for events and had questions on the proposed access. Mr. Thomas had questions for the Dombach's on their proposed subdivision. Mr. Thomas referred to Exhibit #A2 asking if prior to the restoration work was any permits obtained from Manor Township. Mr. Dombach stated they worked with a contractor who reached out to Manor Township and told the Dombach's no permits were needed. Mr. Thomas asked if the contractor advised Manor Township why the renovations were being made. Mr. Dombach stated the renovations were done basically to stop any further deterioration. Mr. Thomas referred to the comment made further renovations would not be able to be done without the income that would be generated from the proposed use and Mr. Thomas verified they knew that when they purchased the property. Mr. Dombach stated possibly. Mr. Thomas stated Mr. Dombach indicated they met with neighbors and reviewed the plans and Mr. Dombach was not suggesting the neighbors were satisfied. Mr. Dombach stated some neighbors are satisfied.

Grafton Brabson had questions on the hours of operation and the noise that could be generated. Mr. Brabson questioned the location on the property that the venues would be held.

Mr. Peris asked if they would allow alcohol to be served at any of the events. Mr. Dombach stated they will allow alcohol be served by a certified bartender.

Mr. Singer has questions on the proposed additional parking location and the proposed subdivision.

Mr. Julian asked if the mill property is currently served by public water and sewer. Mr. Dombach advised there is public sewer. Ms. Dombach stated their neighbors the Smiths have public water. Mr. Julian asked if the parking area will be lighted and reply was yes.

Mr. Thomas asked if weddings will be in or outside. Mr. Dombach stated both.

Mr. McManus verified hours of operation. Mr. McManus asked if there will be testimony to the square footage and layout of the floors. Mr. Stanley stated no. Mr. Dombach stated the mill building with all four floors is 9,000 sq. ft. that includes the basement floor. Mr. McManus

asked if the basement floor has ever flooded and on a regular basis in large storm events. Mr. Dombach replied yes it has flooded and one time that he was aware of. The basement would not be used for wedding venue. Mr. Dombach stated primarily floor two would be used for venues. Mr. McManus stated you are not representing to the Board that the proposed use would be restricted to floor two. Mr. Dombach stated not at this point. Mr. McManus asked if Mr. Dombach is requesting of the Board to be allowed to use the entire 7,200 sq. ft. for his intended purpose. Mr. Dombach stated yes.

Mr. Stanley asked Mr. Dombach if he agreed to a maximum capacity that is 175 and Mr. Dombach stated yes. Mr. Stanley asked if Mr. Dombach would agree to the condition there would not be multiple events at one time and Mr. Dombach stated that is correct.

Mr. Julian asked if they finished additional spaces the Dombachs would agree to 175 person limit. Mr. McManus asked if the 175 person limitation applicable to only indoor occupation or both indoor and outdoor. Mr. Dombach stated it would be a total of 175 regardless.

Mr. Thomas asked if the floodplain elevations are noted on Exhibit #3. Mr. Stanley advised they will provide testimony.

Mrs. Kramer asked if there was city water in the house and the mill. Mr. Dombach stated no.

Mr. Stanley called Mr. Smith. Mr. Smith stated his name is George Smith with the ELA Group and is a Project Engineer. Mr. Smith entered two exhibits. Applicant's Exhibit #A4 is the plan as prepared by the ELA Group entitled Historic Mill Building Floodplain Exhibit that is going to represent the subject properties with an overlay of the floodplain and the second exhibit is from a professional surveyor documenting how the floodplain was determined and associated finished floor elevations. Mr. Stanley had a letter marked Applicant's Exhibit #A5 that is a letter from Steven Black to the ELA Group dated November 5, 2014. Mr. Smith stated the main exhibit identifies the mill property and the future parking or home property. This is based upon Lancaster County GIS information which provides the aerial imagery. Overlaid on the exhibit is mapping that identifies the existing topography of the land with the elevations. The subject parcels are located within FEMA Zone AE which is a detailed study performed by FEMA that establishes a base flood elevation. Manor Township has adopted the FEMA Floodplain. Mr. Smith traced the floodplain line on the exhibit. Mr. Smith stated as a supplement to the FEMA detailed study they sent out their professional surveyors to tie into the established FEMA based flood elevations and determine the finished floor elevations of the mill. There were two main elevations established as part of the survey. The first elevation was referred to as elevation #2 which is the main finished floor of the mill. The lower basement elevation will be referred to as the basement elevation. FEMA establishes the base flood elevations at elevation 254 as a reference to basement finished floor elevation is at 246. There is approximately 9 feet of inundation on the lower elevation. Finished elevation #2 the main floor of the mill is established at 254.5 so there is approximately 6 inches higher than the base flood elevation as established by FEMA. This document identifies the specifics of the floodplain as it impacts the mill. The area located outside of the floodplain corridor defined by FEMA is elevation wise significantly higher than the base flood elevation of the FEMA 100 Year Floodplain approximately 15 feet higher to the plateau of this upper ridge. Mr. Smith stated this provides a general overview of the floodplain as it traverses the subject the properties and the verification that ELA through their professional surveyor has undertaken to identify the flooding impacts as it relates to the mill. Mr. Stanley stated the FEMA Floodplain is calculated based upon 100 year event and Mr. Smith stated correct. Mr. Stanley stated the first floor is 6 inches above the FEMA Floodplain and Mr.

Smith stated correct. Mr. Stanley referred to Applicant's Exhibit #A3 indicating the proposed area for parking is outside the floodplain and Mr. Smith stated correct. The lower access drive is outside the floodplain and Mr. Smith stated correct. Mr. Stanley asked if Mr. Smith looked at the section of the Ordinance that deals with Special Exceptions and certain criteria. Mr. Smith stated he has. Mr. Stanley stated one Section 211.6.2A deals with increase in danger to life and property due to increased flood heights. Mr. Stanley stated since there are no proposed structures within the floodplain will the granting of the Special Exception by this Board impact the flood heights, velocities, frequency or danger to life and property and Mr. Smith stated no. Mr. Stanley asked if there is safe access to the property in times of flooding or ordinary and emergency vehicles and Mr. Smith replied yes. Mr. Stanley asked if the proposed use will alter the natural flow or water temperature and Mr. Smith replied no. Mr. Stanley asked if the natural scenic and aesthetic value of the property be preserved and Mr. Smith replied yes. Mr. Stanley asked if there is any dangers, damage or injury to any of the adjoining properties on both sides of the adjacent water courses or any dangers minimized and Mr. Smith replied the dangers are minimized. Mr. Stanley asked if that is tied primarily to the fact that what is proposed from a use perspective is an existing building and there are no proposes to the exterior and Mr. Smith replied correct. Mr. Smith stated there are no additional encroachments and there is nothing that changes the hydraulic characteristic of what is occurring as an existing condition. Mr. Stanley asked if the granting of the Special Exception will result in any increased flood heights, threats to public safety, public expense or creation of any nuisances. Mr. Smith replied in his professional opinion no.

Mr. Thomas referred to Exhibit #A4 and had questions on the blue horseshoe marking on the plan stating it is his understanding is the floodplain as delineated by the Manor Township Zoning Ordinance and map. Mr. Smith stated correct that delineation upon FEMA's detailed study. Mr. Thomas referred to Exhibit #A5 letter that says notwithstanding the blue horseshoe made some measurements using a certain methodology to show where the base floodplain is. Mr. Smith stated FEMA has established base flood elevation and the surveyor has tied that property into that base flood elevation through the same data map application to identify where the elevations of the mill relate to the established base flood. Mr. Thomas asked if there are other ways other than the method used by Mr. Black in Exhibit #A5 to determine where a floodplain base level actually is. Mr. Smith stated the principle of tying into the same surveying data so that your elevations are all relative Mr. Smith would say no. There is different equipment and technology. Mr. Thomas had questions on the base flood water surface elevation and what it means in a 100 year storm. Mr. Thomas verified in 100 year storm the basement will have 9 feet of water and the water will come within 6 inches of the first floor elevation in the 100 year storm. Mr. Thomas had questions on the number of times there was a 100 year storm. Mr. Smith stated the Dombach's referenced 2 storms that may replicate if not exceed the 100 year storm event. Mr. Thomas asked the level storm event Hurricane Agnes. Mr. Smith advised it was said in excess of a 500 year storm. Mr. Thomas had questions on the chances of occurrence for the 100 year event. Mr. Thomas asked Mr. Smith if he is familiar with the requirements of the Manor Township Ordinance regarding development pertaining to Special Exceptions within the Floodplain. Mr. Smith stated they looked at the Special Exception criteria as the actual specific site development criteria as relates to site design and he is generally familiar but has not reviewed to level of site design or engineered site layout. Mr. Thomas asked if Mr. Smith was familiar with the permitted uses outlined in the Manor Township Zoning Ordinance for land within the floodplain. Mr. Smith stated land use questions he would defer to Ms. Love of ELA.

Mr. Thomas asked Mr. Smith what the meaning was that the danger to life and property due to increase velocities, etc. is going to be minimized by this development. Mr. Smith stated he understands it says increase and they are not changing the hydraulic characteristics of this floodplain. They are preserving the existing flooding corridor as it defers now. Mr. Thomas stated using Old Blue Rock Road where it comes off Rt. 999 is that in the floodplain and Mr. Smith stated it is not. Mr. Thomas had questions as to where the access route first starts encroaching on the floodplain, how far to the south of the Dombach residences do you first encounter the floodplain coming in on Old Blue Rock Rd and at what point you are out of the floodplain when entering the parking lot. Mr. Smith pointed out the floodplain line on the plan and stated the location of the proposed access drive is outside of the floodplain. Mr. Thomas asked Mr. Smith as a floodplain expert does he agree with Mr. Thomas that if the driveway is improved with impervious surface it would be changing the hydraulics of the area and, therefore, impacting the floodplain. Mr. Smith stated he would not in this situation as there is 45 sq. miles of drainage area. Several thousand square feet of impervious surface would not impact the level or magnitude of the existing floodplain. Mr. Smith stated there may be localized storm water regulation that relates to mitigating that but in terms of impacting 100 year floodplain 45 square miles with couple hundred square feet no. Mr. Smith clarified that the exhibit represented is conceptual is not reached site planning efforts in terms of grading, elevations but is conceptual to identify that there is an area available for the potential development of access and parking related facilities. Mr. Thomas stated it is understanding that what is shown is basically an overview from the GIS. It is not an engineered plan and would be the kind of thing that would be required by a land development plan if this project is approved and Mr. Smith stated that was correct. Mr. Thomas stated Mr. Smith is not in any position to say for certainty whether the horseshoe as shown in the development shown is really going to alter with the requirements of the Township. Mr. Smith stated the elevation identified of the 254 is obtained directly from FEMA. Where it would be changed on final land development plans goes back to discussion regarding elevation where the line would be refined to be reflective of established based flood elevation so it would follow the survey contour to that accuracy at that time. Mr. Thomas asked if Exhibit #A4 shows the scaled drawing of the location, dimension and elevation of the lot and all proposed structures for storage of materials, flood proofing measures, and relationship of the above to the location of the floodplain channel and Mr. Smith stated no. Mr. Thomas asked if Exhibit #A5 shows any typical valley cross section showing the channels of water course or elevation of land areas adjoin each side of the channel. Mr. Smith stated Mr. Thomas referenced Exhibit #A5 and he will refer to Exhibit #A4 and stated yes it does identify topography. Mr. Thomas asked if it shows cross sectional areas to be occupied by the proposed development of high water information. Mr. Smith stated it shows the existing conditions and location of the mill in relation to the 100 year flood elevations so in that capacity yes. Mr. Thomas asked if it shows elevation or contours of the ground including fill or storage elevations of all proposed existing structures on the site and Mr. Smith stated shows existing there are no proposed facilities shown. Mr. Thomas asked if it shows existing land uses and vegetation upstream and downstream including soil types. Mr. Smith stated it does not show soil types but does show existing ground cover based upon aerial imagery. Mr. Thomas asked if it shows a profile showing the slope at the bottom of the channel of the flow line. Mr. Smith stated it can be determined from mapping but it does not specifically identify that. Mr. Thomas asked if it shows any specifications for building construction or materials, flood proof, filling, dredging, and draining or channel improvement and Mr. Smith stated no.

Mr. Stanley stated Mr. Thomas questioned the FEMA and the process of the FEMA and field verification. Mr. Stanley asked Mr. Smith to reiterate for the Board that step. Mr. Smith stated FEMA has established basic elevation if this was any property in Manor Township if you have established dwelling and need to establish finished floor elevation as it relates to the floodplain the process that their surveyor performed is in accordance with FEMA standards for floodplain verification. Mr. Smith stated if you are actually proposing any type of development or have existing structures which you are trying to get the exact relation to FEMA it is a standard to establish that via detail survey information. Mr. Stanley stated the two events the Dombach's referred to are the last significant events over the last five years and Mr. Smith stated that was correct. Mr. Stanley stated the Dombach's indicated during the storm events referenced there was no water on the first floor of the mill and Mr. Smith stated correct. Mr. Smith talked about the severity of the two referenced events and how it impacted the County. Mr. Stanley asked if there is any filling or dredging proposed to Mr. Smith's knowledge and the answer was no.

Mr. Thomas requested copies of the exhibits.

Mr. McManus stated if there were no objections they would break here and continue this hearing to next month's meeting. Mr. Stanley stated they would pick up testimony with George Smith at the next meeting. After discussion, the next meeting date for the continuation of this hearing was set for Thursday, February 19, 2015 at 7:00 p.m.

The Board recessed at 9:00. The Board reconvened at 9:05 p.m.

New Business

Case #12-14 - The application of the Lancaster Area Sewer Authority (LASA), property located at 4160 Blue Rock Road, Washington Boro, PA 17582, account # 410-00435-0-0000 for a variance of Section 202.7 in accordance with Section 605.4 – Variances. The Applicant would like to increase the amount of impervious lot coverage. The property is zoned Rural (R). The meeting was turned over to Mr. McManus.

Mr. McManus requested that Mr. Ebersole be sworn in. Mr. Ebersole stated his name is Nickolas Paul Ebersole and is employed as Zoning Officer with Manor Township. In that capacity Mr. Ebersole received the application for a variance of the LASA indexed at #12-14. The application was on a standard Township form that was completed and signed. The application contained a two page narrative Captioned "Demonstration of Compliance With Section 605.4", a separate sheet listing adjacent land owners to the subject property, and a set of plans showing floor elevations and floor plans and a separate plan captioned "Zoning Site Plan". The Application was marked Exhibit #1. A notice of the time, date, place and subject matter was published in the Lancaster Newspapers on December 24 and 31, 2014. Proof of publication was marked Exhibit #2. The property which is the subject of this application was posted with a notice of the time, date, place and subject matter on December 18, 2014. The notice was the same that was published in the Lancaster Newspaper. The same notice was placed on the bulletin board in the lobby of the Manor Township Municipal Building on December 18, 2014. There was no questions on the manner the application was advertised and property posted.

Karla Farrell with Buchart Horn, who is a Certified Land Use Planner, was representing LASA along with Scott Fertich from Lancaster Area Sewer Authority (LASA) who is the Director of Engineering and authorized to appear on behalf of LASA. Ms. Farrell and Mr. Fertich were sworn in. Ms. Farrell stated LASA wishes to upgrade the existing sewer water pollution control plant at 4160 Blue Rock Road. The exhibit on the Board is a large copy of

what was provided in the application. The upgrades will allow the plant to come into compliance with State and Federal Regulations for bio-sludge quality requirements and odor reduction. The improvements will reduce the amount of bio-solids that is the end result of the waste water treatment plant. They have some proposed improvements included in the control building and all the dark items on the site map are the proposed improvements. The proposed improvements include: three additions to the existing operations building, an extension of the existing garage areas, a sludge dryer building, a boiler building, a control building with access adjusted to better divide the visitor's entrance from the working areas, two digester tanks with associated digester building, and two bio-solids storage buildings to take the place of the open bio-solid storage area. The existing lot coverage is approximately 9 acres of impervious area that is approximately 392,000 sq. ft. or a little over 10% of the property. The size of the property is 89.374 acres. Section 202.7 of the Manor Township Zoning Ordinance limits the maximum coverage to 30% or 15,000 sq. ft., whichever is less. They respectfully request a variance to Section 202.7 to allow the property to expand to better serve the community by removing the restriction of the "15,000 sq. ft., or whichever is less" maximum lot coverage. In accordance with Section 605.4, they have provided the information in narrative form to go through the items required to show they are compliant. The wastewater treatment plant is an existing facility for 40 years. The location was chosen because of its proximity to the river in order there be appropriate outfall condition and being generally downstream from a majority of customers. The unique physical circumstances are that it is an existing facility located to meet the needs of the community, the facility currently does not meet the 15,000 sq. ft. lot coverage limit and it cannot be upgraded to reduce bio-solid quantity, improve bio-solid quality, and reduce odors without expanding the lot coverage. Making improvements to meet State and Federal requirements for bio-solids quality and odor control make it necessary to upgrade the plant from time to time. It is not possible to make those improvements without exceeding the maximum lot coverage of 15,000 sq. ft. A hardship is actually created by the DEP who is requiring the improvements to the wastewater treatment plant. The expansion of the treatment plant does not alter the essential character of the neighborhood and it is an existing use and surrounded to the north and east by forested land. The expansion and improvement will enhance public welfare by improving bio-solids quality, reducing bio-solids quantity and odor and minimizing contact with rainfall and storm water. The variance represents the minimum afforded relief by maintaining the 30% maximum lot coverage restriction. They are asking that they delete the 15,000 sq. ft. for this site. They are not in the floodplain.

Mr. McManus asked with the proposed improvements it was stated that the gross area of the site is 89.374 acres and Ms. Farrell stated yes. They refer to a plan and that the plan is attached to the application which Mr. McManus asked that it be labeled Exhibit #1A. Mr. McManus stated the nine acres are presently impervious surface. Ms. Farrell stated there is existing 392,000 sq. ft. coverage that is little less than 10%. Mr. McManus how many square feet of additional impervious surface will be experienced with the proposed improvements. Ms. Farrell stated the exact amount will be identified on the land development plan but somewhere around an additional 15,000 sq. ft. Mr. McManus asked if it is Ms. Farrell's belief that an additional 15,000 sq. ft. is a reliable estimate of what the new facilities will entail by the way of impervious surface. The 15,000 plus the 392,000 is 407,000 sq. ft. of impervious surface under the plan presented to the Board. The resulting coverage would be 10.789% and even though 10.789% would satisfy the expansion requirements they would like permission for another two times that. The minimum variance that would be required to satisfy the proposed expansion would be

roughly 11% of the tract and Ms. Farrell stated yes. Mr. Fertich stated they will continually be doing things to the treatment plant. Mr. McManus stated with respect to a clarifier addition that is not shown on this plan but may be realized down the road Mr. Fertich's belief that 12% of site would meet their needs and they stated yes. Mr. Fertich advised LASA owns the farm surrounding this 89 acres. Mr. McManus stated for purposes of this application 12% would be the reasonable minimum variance request to satisfy the expansion needs and Mr. Fertich replied yes. Mr. Peris asked if the changes will reduce the odor.

There was no further questions. Mr. Singer advised a decision will be rendered Wednesday, February 4, 2015 at 7:00 p.m. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, February 4, 2015

Time: 7:00 P.M.

Chairman Bradley Singer called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, January 7, 2015 at 7:00 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township Officials Present: Nickolas Ebersole and James R. McManus III
Visitor: Scott Fertich, LASA

Minutes – There were no additions or corrections. Mr. Julian made a motion to approve the January 7, 2015 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

Old Business

Case #12-14 - The application of the Lancaster Area Sewer Authority (LASA), property located at 4160 Blue Rock Road, Washington Boro, PA 17582, account # 410-00435-0-0000 for a variance of Section 202.7 in accordance with Section 605.4 – Variances. The Applicant would like to increase the amount of impervious lot coverage. The property is zoned Rural (R). Testimony is closed and a decision will be rendered.

Mr. Singer stated the Board Members considered the testimony presented January 7 and there has been no discussion between the Board Members. Each of the Members contacted the Board Solicitor with their thoughts and opinions. Mr. McManus has prepared a Draft Decision that is

before them this evening. Mr. McManus noted a typographical error on the Draft Decision. On Page 3 the last line of III Decision it is Account #410 and should say 0435 and not 62650. There is no discussion. Mr. Peris made a motion to approve the Decision with the clarification made by Mr. McManus. Mr. Julian seconded the motion and the motion carried unanimously. Mr. Julian read the Decision stating based upon the foregoing, the application of Lancaster Area Sewer Authority for a variance to the provisions of Section 202.7 of the Manor Township Zoning Ordinance to exceed the maximum permitted lot coverage on area on its property located at 4160 Blue Rock Road, Washington Boro, PA Pennsylvania 17582, Lancaster County Tax Assessment Account No. 410-0435-0-0000, is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in its application, Exhibits, and plans, as well as all testimony presented by the Applicant or on its behalf at the hearing held on January 7, 2014. 2) The variance granted shall be limited to lot coverage not to exceed 12% of the lot area of the Property or 407,000 square feet whichever is the greater area. 3) The Applicant shall comply with all applicable State and local regulations regarding the construction of all improvements, and the use and occupancy of the waste water treatment facility. 4) The Applicant shall comply with all applicable building code regulations for the intended use and shall obtain all associated required permits. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. Mr. McManus noted another typographical error under Findings of Fact #6 the hearing was hold on January 7, 2015 and a similar change in the conditions of approval #1 reference to the hearing on January 7, 2015. Mr. Peris made a motion to accept the Decision with the amended dates as noted by Mr. McManus. Mr. Julian seconded the motion and the motion carried unanimously.

Mr. Singer announced there would be a continuation of Case #10-14 and #11-14 on Thursday, February 19th at 7:00 p.m. in this room. The next monthly scheduled meeting will be Wednesday, March 4 at 7:00 p.m.

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

Respectfully submitted,

Michael Julian
Secretary

Recording Secretary
Evelyn Rineer

Zoning Hearing Board Minutes

Wednesday, February 19, 2015

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, February 19, 2015 at 7:00 p.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA. Chairman Bradley Singer led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township Officials: James McManus, III and Nickolas Ebersole

Old Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances. The Applicant would like to operate a special events venue. The property is zoned Low Density Residential (RL) and is in the Floodplain Zone (FP). Testimony to continue from the January 7, 2015.

Mr. Singer stated at the January 7, 2015 meeting the Manor Township Zoning Hearing selected February 19, 2015 as a mutually convenient date to continue this case. Unfortunately due to last minute conflict in scheduling on the part of Manor Township Zoning Hearing Board, tonight's testimony and presentation had to be delayed. The apologies of the Board are hereby conveyed to all parties. The following letter was received from McNeese Wallace and Nurick, LLC signed by Mark Stanley in reference to Donald S. and Laura M. Dombach Zoning Hearing Board Application addressed to Nickolas Ebersole our Zoning Officer and Planner. "Dear Nick, As you know, we represent Don and Laura Dombach. At our last meeting we continued the presentation to 7:00 p.m. on Thursday, February 19, 2015. We understand that a scheduling conflict has arisen and one of the Zoning Board Members needs to leave tonight's meeting by no later than 8:00 p.m. In light of this conflict, the parties have agreed to continue the hearing to 7:00 p.m. on March 12, 2015. I understand that this continuance will be announced at tonight's Zoning Hearing Board Meeting and that there is no need for either the Dombachs or anyone from my office to attend. Thank you for bringing the conflict to our attention. We look forward to further presenting the Application on March 12th." This was received from Mark Stanley. Mr. McManus asked that correspondence relating to this matter of continuances be marked as Board Exhibit #3. Mr. McManus reminded Mr. Ebersole we will continue this on the record to the date, time and Township Building location stated at this evening's meeting. In addition, Mr. McManus asked Mr. Ebersole to post the time, date, and subject matter of this hearing in the Township Building as part of the regular agenda for public notification and on the Township's Web Site.

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

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Thursday, March 12, 2015

Time: 7:00 P.M.

Chairman Bradley Singer called the Manor Township Zoning Hearing meeting to order in the Manor Township Municipal Building on Thursday, March 12, 2015 at 7:00 p.m. Chairman Singer introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township Officials Present: James McManus and Nickolas Ebersole
Visitors: George R. Smith, III, 743 S. Broad St., Lititz
Joe Patterson, 123 N. Prince St., Lancaster
Don & Laura Dombach, 378 Old Blue Rock Rd., Millersville
Chery Love, 743 S. Broad St., Lititz
Stephen & Ann Smith, 365 Old Blue Rock Rd., Millersville
Harold Kramer, 341 Old Blue Rock Rd., Millersville
Troy & Carole Isaak, 1 Holly Drive, Lancaster

Minutes

Mr. Julian made a motion to approve the February 4, 2015 minutes as presented. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. Peris made a motion to approve the February 19, 2015 minutes as presented. Mr. Julian seconded the motion and the motion carried unanimously.

Old Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances. The Applicant would like to operate a special events venue. The property is zoned Low Density Residential (RL) and is in the Floodplain Zone (FP). Testimony to continue. Mr. Singer apologized for the cancellation of the last meeting due to a conflict of the Board and stated he was sorry for the inconvenience to all parties present.

Mr. McManus stated the last testimony that was presented in this matter occurred on January 7, 2015. Mr. McManus stated his notes indicate that the cross examination of George Smith of ELA on behalf of the Applicant was completed prior to the end of that meeting. Mr. Stanley had several redirect questions for Mr. Smith who was sworn in. George Smith stated he is a

Project Engineer with ELA Group. Mr. Stanley stated at the last meeting Attorney Thomas asked a number of questions regarding plans, cross sections, elevations and contours specifically reading from Section 211.6.3 of the Ordinance which Mr. Stanley gave to Mr. Smith. Mr. Stanley asked if Mr. Smith had reviewed the sections prior to tonight's meeting and Mr. Smith stated he had. Mr. Smith stated the submissions were permissive. Mr. Stanley stated so the submissions are not required to be submitted by an Applicant as part of an application for a Zoning Hearing Application. Mr. Smith stated he offered an opinion that is correct. Mr. Stanley verified that there are no new structures being placed in the floodplain.

Mr. Stanley called Mark Henise who was sworn in by the Court Reporter. Mr. Stanley stated Mr. Henise is going to testify to an exhibit that is entitled "Historic Mill Building Site Distance Exhibit" that is marked Applicant Exhibit #6. Mr. Henise stated his place of employment, business and educational background. Mr. Stanley offered Mr. Henise as an expert witness in the area of traffic planning and engineering. There were no objections to Mr. Henise as an expert witness. Mr. Stanley stated he would turn the presentation over to Mr. Henise to generally discuss with the Board some of the aspects of the traffic and traffic related issues that were reviewed as part of this application including site distance at Old Blue Rock Road and Rt. 999, including some of the counts taken in connection with the matter. Mr. Henise stated first they measured the available site distance at the intersection of Old Blue Rock Road and Rt. 999. They found that sitting at the intersection as a car sitting to pull out on Rt. 999 there is 450 feet of site distance to the left and 450 feet of site distance to the right. Compared with the Manor Township Subdivision Land Development Ordinance requirements the requirement to the right based on the speed limit and grade on Rt. 999 is 295 feet compared to the 450 feet that is available and minimum site distance to the left is 369 feet compared to the 450 feet available. They do exceed the minimum required site distance by Manor Township in both directions. As it is a State road, they also looked at PennDot requirements. PennDot requirements are slightly less than the Township requirements so they also meet those requirements. Site distance for a vehicle pulling out from a side street onto a free flowing main street or major street is meant to determine whether or not there is enough of a gap for vehicles to safely pull out into the flow of traffic. That is why the distance is based on the speed limit of the roadway because the faster the vehicles are traveling the further you need to be able to see down the road to determine whether or not you have a safe gap in traffic to pull out into. They conducted a peak hour manual traffic count at the intersection from 4:00 p.m. to 6:00 p.m. and that is the typical time frame for a p.m. peak hour as that is the typical rush hour and time when traffic volumes are typically at their highest in the afternoon. After that traffic count was collected, that information was used to prepare a level of service analysis and found that the intersection currently operates at a level of service "A" for vehicles pulling onto Rt. 999 and with the added traffic from the event venue it would operate at a level of service "C" which is also considered to be an acceptable level of service per the Manor Township Subdivision Land Development Ordinance. Mr. Henise was present during the testimony of Don and Laura Dombach and heard that the historic mill was previously used as a restaurant and retail operation. Mr. Henise compared the proposed trip generation between what is proposed versus what it was previously been used for. Mr. Stanley marked the "Dombach Mills table" trip generation comparison document as Applicant's Exhibit #7. Mr. Henise explained the analysis for the previous uses stating based on those uses and sizes they used the ITE Manual. They calculated weekday, Saturday and Sunday average daily traffic volumes that each of the uses would have generated and then the bottom row is a total of the two uses. Under the previous uses the mill would have generated

457 trips on a weekday, 459 trips on a Saturday and 330 trips on a Sunday. Mr. Stanley stated the restaurant has not been in existence for a number of years so this comparison is really a historic comparison of a prior use versus what they are proposing and Mr. Henise agreed. Mr. Stanley stated even if you eliminated the specialty retail component would the restaurant exceed what is proposed in connection with the special events venue and Mr. Henise stated it would.

Mr. Thomas stated Mr. Henise is a Traffic Engineer and as such did traffic impact studies and the typical traffic impact study would involve doing traffic counts over a period of time; you would count trips over a number of days or months to get an average daily trip. Mr. Henise stated not at an intersection, they would just count the peak hours for one day. Mr. Thomas asked how this intersection was counted. Mr. Henise stated it was a manual traffic count with someone actually sitting beside the intersection and counting the number of vehicles. Mr. Henise advised he did not know the actual date the count was completed. Mr. Thomas asked who did the traffic count and Mr. Henise indicated an employee of the ELA Group. Mr. Thomas asked if Mr. Henise had any of the raw data with him tonight and Mr. Henise stated he may. Mr. Thomas asked if Mr. Henise was testifying on information someone else gave him. Mr. Henise stated it was based on an employee of ELA who is under Mr. Henise's direct supervision who has been doing traffic counts for close to 20 years. Mr. Thomas stated when traffic counts are done in addition to the counts done at intersection you also look at the capacity of the road and Mr. Henise stated yes. Mr. Thomas asked what that involves from an engineer's prospective. Mr. Henise stated for an intersection it involves looking at the geometry of the intersection, the grades leading into the intersection, the widths of the roadway into the intersection, and the traffic control devices at the intersection. Mr. Thomas stated the traffic control device is a Stop Sign and Mr. Henise stated correct. Mr. Thomas asked if the analysis did any investigation of the geometry of Rt. 999 and of Old Blue Rock Road. Mr. Henise stated the study included the geometry of both roadways at the intersection. Mr. Thomas stated he is talking about beyond the intersection of Rt. 999 or down into Blue Rock Road towards the mill. Mr. Henise stated they did measure the width of both roadways. The lane widths of Rt. 999 at the intersection is 11 feet but did not recall what the shoulder width was. Mr. Henise believed Old Blue Rock Road was 20 feet. Mr. Thomas asked Mr. Henise if he had any data with him on the width of the cartway of Old Blue Rock Road starting at the intersection of Rt. 999 and going down to the mill. Mr. Henise stated he did not have anything in writing with him but they did measure it and it varies from 20 feet at the intersection to 16-18 feet at different locations. Mr. Thomas asked if an analysis was done on the state of repair of Old Blue Rock Road and if Mr. Henise knew the state of repair. Mr. Henise stated the road is not broken up that he recalls but it does have pot holes. Mr. Thomas asked if there were any storm water drainage systems in place along Old Blue Rock Road. Mr. Henise stated he believes there was a slot drain at one of the driveways but does not know for sure. Mr. Thomas asked for information about the berms of the road and Mr. Henise stated he did not have any. Mr. Thomas asked Mr. Henise if he believed the weekly average daily trips from the stone mill restaurant on Old Blue Rock was actually 351 cars. Mr. Henise stated that number is based on the trip generation of a restaurant of similar size. Mr. Thomas asked if Mr. Henise knew how many seats were in the stone mill restaurant. Mr. Henise stated it was based off the square footage. Mr. Thomas stated when the 3900 square feet was calculated what went into the measurement. Mr. Henise stated that was information provided by the Dombach's. Mr. Thomas asked if it was one floor, two floors, and basement, if Mr. Henise knew. Mr. Henise stated he believed it was one floor for the restaurant and then the retail was on the other floor. Mr. Thomas asked Mr. Henise's understanding of the

retail that was in the mill. Mr. Henise stated it was a specialty retail such as antiques and items of that sort. Mr. Thomas stated Mr. Henise referred to a quality restaurant and asked Mr. Henise to give an example other than the stone mill what type restaurant that would be. Mr. Henise stated a quality restaurant is a fancier type restaurant, not like a fast food, similar to a Symposium. Mr. Thomas stated the traffic counts, assuming Mr. Henise is correct, that the week day average daily traffic count for the stone mill restaurant was 351 cars and Mr. Thomas asked if Mr. Henise would agree that the 351 car count would be spread out over the whole day that the restaurant was open. Mr. Henise stated it would be spread out over the time period the restaurant was open. Mr. Thomas asked if Mr. Henise agreed that if you were comparing that to the wedding venue where there would be up to 175 guests those trips would come in and leave at the same time. Mr. Henise stated he did not agree with that; they would come in close to the same time but would leave at different times. Mr. Thomas asked if that would not give a different peak number than the average daily count number given. Mr. Henise stated the peak number would be different than the daily number. Mr. Thomas stated the peak would tend to be higher for a short period of time and Mr. Henise replied it would not be higher than the daily. Mr. Henise stated that they assume that 85% of guests would come in the hour before the event based on another study done for a wedding venue and that information was reviewed by Rettew Associates for the Township the event was in and they are also the Township Engineer for Manor Township. Mr. Thomas asked if when you do a peak count for the 30 minutes to one hour before the wedding that has an impact on the level of service at the intersection. Mr. Henise stated yes and that 85% of the daily total is what was used for the level of service analysis. Mr. Thomas asked if the traffic count took into account any of the other uses along Old Blue Rock Road. Mr. Henise stated yes if the uses were open when they did their count. Mr. Thomas asked if there was a service at the funeral home when the count was conducted. Mr. Henise stated he did not know.

Mr. Kramer stated he lived on Old Blue Rock Road for 52 years and cannot believe the traffic count. Mr. Kramer asked what the speed limit was on Rt. 999 coming from Millersville Borough towards Washington Boro. Mr. Henise stated 40 mph. Mr. Kramer had pictures of a very large funeral at the funeral home that showed how bad the road was.

Mr. Stanley had redirect. Mr. Stanley stated Mr. Thomas mentioned the geometry of Rt. 999 and Old Blue Road at the intersection and Mr. Kramer referenced the speed limit. Mr. Stanley stated he believed Mr. Henise testified that both components are taken into consideration when you look at site distance and Mr. Henise stated that was correct. Mr. Stanley restated that they did look at the geometry of the road and took the speed limit into consideration when Mr. Henise testified both what is required under PennDot standards and the Township standards and what available site distance is there and Mr. Henise stated correct.

Mr. Stanley called Joe Patterson and Mr. Patterson was sworn in. Mr. Patterson stated his name is Joseph F. Patterson and he is with the Historic Preservation Trust of Lancaster County. Mr. Patterson stated he is familiar with the site and was at the last hearing when the Dombach's testified as to both the mill property and their proposal. Mr. Patterson described the significance of the mill and Mr. Patterson's opinion of the necessity of the preservation of property such as the mill as well as similar conversions that Mr. Patterson is aware of. Mr. Patterson stated the Historic Preservation Trust is the only nonprofit in Lancaster County that is devoted to encouraging historic preservation. Mr. Patterson talked about the number of properties that have historical significance in Lancaster County. Mr. Patterson talked about comparable conversions and stated they encourage conversions and gave examples. Mr. Patterson stated mills were built

prior to many structures in Lancaster County often before churches because mills provided the life blood and the gathering social opportunity for earlier settlers in Lancaster County. As mills are lost, the main part of that fabric of what Lancaster County is, is also being lost. Mr. Patterson stated the purpose of Historic Preservation Trust is to identify and encourage collaboration on the protection of historic properties. Mr. Patterson stated a historic property is a structure that is built WWII vintage or earlier. Another characteristic is a property that may have had a significant event take place onsite. Mr. Patterson stated the Historic Trust does not have the resources to fund restoration. The Historic Trust is a volunteer organization. Historic buildings are maintained by individual property owners and the Historic Trust does not have an influence on that unless the property has a historic preservation easement of which there are 26 in Lancaster County. The easement is a legal deed that is on the property and the holder of that easement is the Historic Preservation Trust. The National Register of Historic Places is a designation but it does not protect anything. Mr. Stanley asked how critical it is to maintenance of our heritage and the character of Lancaster County that mills such as this are preserved. Mr. Patterson stated it is vital. Mr. Patterson stated with the Dombach's mill many people have worked to preserve this property prior to them. Mr. Patterson gave background of the mill stating there is a legacy here. Mr. Patterson states historic preservation facilitates neighborhood revitalization, economic development, heritage tourism and conservation. Mr. Patterson stated if you allow a historic structure to sit and deteriorate you are looking eventually a property that could be demolition by neglect that brings down the value of any neighborhood. Mr. Stanley asked Mr. Patterson if he is familiar with the eligibility criteria to be listed on the National Register of Historic Places and Mr. Patterson stated yes the criteria that he had just briefly elaborated on. Mr. Stanley asked if in Mr. Patterson's opinion if the Dombach's mill is eligible to be listed and Mr. Patterson stated it is eligible. Mr. Stanley asked if in Mr. Patterson's opinion this is an appropriate venue for a special events and Mr. Patterson stated it is and in fact it is a growing preference for adaptive reuse in Lancaster County. Mr. Stanley stated based upon Mr. Patterson's experiences if a building such as this cannot be utilized in the way that is a commercial use is it Mr. Patterson's opinion that the historic nature could and probably would be effected. Mr. Patterson stated it would be in the sense it probably is going to sit and go unused which means it will fall into decay and become an empty dilapidated structure.

Mr. Thomas asked what the criteria is for an easement. Mr. Patterson listed what he had given for the National Register of Historic Places. Mr. Thomas stated an adaptive reuse facility could be subject to easement and Mr. Patterson stated absolutely. Mr. Patterson stated an easement is established by the property owner and the Historic Preservation Trust and it is written in a way that satisfies both the property owner and the Trust. Mr. Thomas asked if Mr. Patterson agreed that a historic structure can be maintained as a historic structure with all the community, culture and social benefits identified without having an adaptive commercial reuse within the building. Mr. Patterson stated he believes it could depending on how the property is maintained. Mr. Patterson stated the challenge today with historic properties today is finding the funding and the most logical way to do that is finding a way to do that through a commercial enterprise.

Mr. Peris asked in the case there would be an easement on this property and it were resold does the Historical Society still have control with the next owner. Mr. Patterson stated yes that is the benefit of an easement. Mr. Patterson stated with an easement that can be a negative because you have to find an owner who is willing to abide by the easement but on plus side there are tax benefits.

Mr. Julian asked if Mr. Patterson could tell them a little about the Nolt's Mill that was used as something similar to what they were looking at with the Dombach's property. Mr. Julian asked Mr. Patterson if he was on site of the mill the Dombach's own. Mr. Patterson stated he has been on site but has not been inside the mill. Mr. Julian asked Mr. Patterson if he would say the mill in its current condition is stable and eligible to be repurposed safely and Mr. Patterson stated absolutely. Mr. Julian asked if it would not be repurposed would it continue in that condition or does Mr. Patterson feel it is in jeopardy. Mr. Patterson stated anytime you have a property that is unmaintained it will deteriorate.

Mr. McManus indicated Mr. Patterson stated the Dombach's mill is one of 94 mills on the Trust inventory list. Mr. McManus asked if each of the mills have been inspected by persons with particular qualifications to determine whether or not they meet the criteria of historic buildings and structures. Mr. Patterson stated yes. Mr. Patterson gave an explanation of how the mills have been inspected which is only an exterior inspection. Mr. Patterson stated from the exterior you can frequently tell whether or not there is enough damage to be of concern and that would be noted.

Mr. Stanley called Cheryl Love who was sworn in. Ms. Love stated her name is Cheryl Love and gave her place of employment, her position and educational background stating she is familiar with the site. Mr. Stanley offered Cheryl Love as an expert in areas of land planning and landscape architecture. Ms. Love was accepted as an expert witness for the purposes offered. Ms. Love stated through their evaluations and preparations for this hearing they have looked at the various permitted uses within the RL Zoning District. Looking at the permitted uses their testimony is that the existing mill itself is not well suited to a traditional church. They have looked at the remaining permitted uses both by right and special exception and they believe those are inconsistent as well with the unique design and the structure of this historic mill. They have evaluated a number of the specific criteria underneath the Special Exception Section 211.6.2 which Ms. Love went through. Item "A" references any danger to life/property due to increased flood heights, velocities or frequencies caused by encroachments that would be minimized. Ms. Love stated they are not proposing alterations to the building or any additional encroachments that would reflect or affect the 100 year flood plain elevation itself so thereby they would have no impact on the current FEMA Flood Plain elevations in that area. Item "B" references the potential danger of materials being swept downstream from this property onto other lands. The mill itself is a contained structure and they are not proposing additional improvements within that area. Item "C" reflects the minimizing of any possibility of disease, contamination, and unsanitary conditions to any existing or proposed water supplies, sanitary systems. Also, they will make sure to prevent these problems because the current facility is served by unground public sewer and they would look through land development processing and approvals to extend public sewer to service that building. Another item would be if the proposed use is compatible with existing or anticipated development within the area. They realize this area has an established residential neighborhood, they are not aware of any other significant anticipated development that would be expected to occur on Old Blue Rock Road. They believe their proposed use is limited in scope based on testimony that the Dombach's have previously put on record, relative to the event size, monitoring of the events, times and limitations on music and lighting. Referencing Exhibit #3 Titled Site Plan Exhibit Ms. Love stated that exhibit includes providing a 100 foot wide lot that could be processed through the land development process and that lot would be located adjacent to the neighbor's structure. That essentially creates an additional buffer whereby the nearest possibility for parking would be

over 110 feet from the current existing property line. They will be designing evergreen landscape buffers between the edges of the nearest parking on site on the upper area above the existing mill. Mr. Stanley stated the Ordinance indicates that structures as of September 19, 1990 can continue as non-conforming structures. Ms. Love testified based upon her review of permitted and special exception uses that they cannot reasonably use it for any permitted or special exception use under the residential zone. Mr. Stanley stated they could keep the structure there but would not have the use permitted by right or special exception and Ms. Love stated that was correct. Ms. Love referred to Section 605.4 relative to variance criteria, which states there would need to be unique physical conditions on the property. Certainly there are a number of those not the least of which is the historic mill structure itself being located within the floodplain as previously testified to and indicated on all the exhibits submitted the applicant did not create the unnecessary hardship themselves. The mill is within the floodplain and that is an unchangeable condition. The structure itself is not able to be converted into a permitted use without extensive reconstruction, demolition, etc. which is certainly counter to what Mr. Patterson has previously testified to with the need to preserve this building in its historical state. The applicant did not erect the mill. The essential character of the neighborhood would not be altered. The structure was previously in use as testified to for commercial purposes. Restrictions that the Dombach's are willing to propose on this venue are all things they believe will be put in place to avoid altering the essential character of the mill itself. The rehabilitation of the mill property itself is not detrimental to public welfare. If the variance were to be granted that minimum relief would be necessary to afford relief. The scope of the use of the facility and project is in their opinion a minimal use and believe they have looked at a number of criteria and have minimized the impact of this venue. Mr. Stanley stated the Manor Township Zoning Ordinance treats historic structures somewhat unique almost providing a different classification as other structures that might be in the flood plain and Ms. Love stated that was correct. Mr. Stanley stated one of the references previously talked about is would this use be consistent with the Comprehensive Plan. Ms. Love stated this use would be consistent with the Township Comprehensive Plan. There is a State goal within the Comprehensive Plan to preserve historic resources and a State objective to reuse historic structures and proposed adaptive reuse is consistent with the Comprehensive Plan. Mr. Stanley asked Ms. Love if she is aware of the events that take place at the Ephrata Cloister. Ms. Love stated the Ephrata Cloister is utilized as a special event and wedding venue as well. Mr. Stanley asked if the unique physical characteristics of the site justify the granting of the use variance and Ms. Love replied yes she believed it does. Mr. Stanley stated Ms. Love reviewed the specific criteria for a variance and special exception and in Ms. Love's professional opinion based upon her review and the testimony is it Ms. Love's opinion the applicant has satisfied the necessary criteria. Ms. Love stated she believed they have.

Mr. Thomas read a section of the application "IV, Point A" which is Exhibit #1. Mr. Thomas had questions for Ms. Love regarding the permitted uses and whether the use was permitted in other zoning districts. Mr. Thomas stated Ms. Love mentioned if approved they would seek right to extend the public sewer to the mill. Ms. Love advised that was incorrect it was to extend the public water. Mr. McManus stated it needed to be clarified Ms. Love did say public sewer but it should have been public water. Ms. Love stated public sewer currently services the property through an underground existing connection they would be extending public water. Mr. Thomas asked if there was an application pending to extend the public water and Ms. Love stated not at this time. Mr. Thomas asked what the water supply was presently and Ms. Love

stated a well. Mr. Thomas asked if the well was for the house and restaurant. Ms. Love deferred question to the Dombach's. Mr. Thomas asked if Ms. Love was prepared to offer any evidence as to whether the existing water supply is either adequate in capacity or "potability" for a restaurant. Ms. Love stated with respect to the current well no tests were run. Mr. Thomas stated Ms. Love mentioned lights would not extend beyond the boundaries. Mr. Thomas asked if they had a lighting plan to show and Ms. Love stated they did not that typically that is provided during the subdivision and land development process. Mr. Thomas stated Ms. Love mentioned that if the single family lot is subdivided and built as shown on Applicant's Exhibit #3 that there would be a buffer. Mr. Thomas stated as of this evening there is no subdivision plan filed for that lot and Ms. Love stated there is none filed currently but intend to provide that as part of the normal land development and subdivision process. Mr. Thomas stated for this application, the exhibits do not show any buffer between the use and Mr. and Mrs. Smith's house to the southeast. Ms. Love indicated they have not specifically provided detailed landscape plans again the lot as currently depicted for subdivision on Exhibit #3 the Site Plan does in fact provide for that 100 foot distance which they fully intend to pursue through the land development process as well as the detailed landscape buffering plans. In response to one of Mr. Stanley's questions since it is a nonconforming structure it is actually a nonconforming use and a nonconforming structure under the current Ordinance. Ms. Love stated it is not a permitted use. Mr. Thomas stated Ms. Love said if this is not approved then they would have a structure that would not have any permitted use. Ms. Love stated she did not believe she indicated that if this was not approved or provided any testimony about that other that it would be difficult for other permitted uses to utilize this existing structure in its current configuration capacity without significant alteration to the structure itself. Mr. Thomas asked if Ms. Love is a structural engineer and Ms. Love stated she is not. Mr. Thomas stated Ms. Love did not have any structural analysis that would support the statement Ms. Love made. Ms. Love stated she does not but has worked for five years with an architect's office and closely with the design teams, however, she is not registered to provide testimony relative to structure. Mr. Thomas stated Ms. Love mentioned this would be consistent with the essential character of the neighborhood but this would be the only nonresidential use along Blue Rock Road after the intersection where Scheid Funeral Home is located.

Mr. Peris questioned the access ability for emergency services. Ms. Love stated they will be continuing to evaluate as they move through the land development process. ELA has specific software available in house where they perform turning movements for fire trucks and other emergency service vehicles to assure that they have the capability. In fact her belief is that these improvements will provide for enhanced accessibility at the end of Old Blue Rock Road whereby creating essentially a loop connection as indicated on Exhibit #3 and provide some ease of turn movements for those types of vehicles versus the dead end situation that exists with Old Blue Rock Road now. Mr. Stanley reminded the Board Mr. Smith testified as to access and full access taking into consideration the FEMA Flood Plain.

Mr. McManus asked if Ms. Love was familiar with the plans and exhibits that have been submitted specifically Exhibit #6 testified to principally by Mr. Henise. Mr. McManus asked if Ms. Love knew the right-of-way of Old Blue Rock Road. Ms. Love deferred that to Mr. Henise. Mr. McManus stated Ms. Love testified in her evaluation of potential uses of the building that no use that is permitted by either special exception or permitted use could be available to this property without extensive alteration to the building and Ms. Love stated that was her testimony. Mr. McManus asked if Ms. Love had any idea as to whether the alterations would be

prohibitively expensive as well. Ms. Love stated she is not a structural engineer nor an architect but she would preclude based on prior experiences during many meetings where buildings are involved Ms. Love would believe that the costs would be prohibitive.

Mr. Thomas stated he believed the question Mr. McManus asked was a general question about permitted or special exception uses. Ms. Love's testimony was limited to permitted and special exception uses in the "RL" District and she answered Mr. Thomas's question she did not do an analysis for the other districts. Mr. Thomas stated he just wanted it on the record.

Mr. McManus stated Mr. Henise testified with respect to the average daily traffic expected to be generated from the proposed use of the building and he gave them an ADT count and projected 85% would be the peak hour traffic and Mr. Henise stated correct. Mr. McManus asked if Mr. Henise reduced that to a number. Mr. Henise stated it would 88 trips with 75 entering and 13 exiting. Mr. McManus asked with respect to permitted uses if they were to assume that the Dombach's decided to convert the structure into a place of worship, with seating capacity of 175, would trip generation calculations in peak hour traffic be similar to the analysis for this proposed use. Mr. Henise stated he did not do any analysis above that but based on past experience with churches their services and times of different activities vary from church to church but normally when looking at churches they have specifics from the churches. Mr. McManus advised his question was if you had a church with a capacity of 175 and because there was a particular day which everybody attended is there a difference between the analyses of traffic generated through a permitted church use than the proposed special event use that the Dombach's are proposing. Mr. Henise stated again he is not sure of the characteristics as every church is different but he can say that they assumed two persons per vehicle coming to a wedding event that he believes that would be similar for a church use. Mr. McManus stated so Mr. Henise's answer is they do not have the coded data for that particular use and Mr. Henise stated that was correct.

Mr. Julian indicated Mr. Henise had stated the width of Old Blue Rock Road is between 16 and 18 feet. Does that width of road support cars passing each other on the roadway with ease. Mr. Henise stated they pass now. Mr. Henise stated he does not know what the right-of-way is now but they do know Old Blue Rock Road was State Route 999 until sometime in the mid 60's and according to PennDot's plans the road when it was a PennDot road was 33 feet.

Mr. Stanley had a question for Mr. Henise. Mr. Henise you indicated it was 16 to 18 feet but up to 20 feet at the intersection of Old Blue Rock Road and following up on question at 16 to 18 feet could two cars pass side by side at that width. Mr. Henise stated yes.

The Board took a break and reconvened at 8:30 p.m.

Mr. Thomas called Mr. Smith who was sworn in. Stephen Smith stated he owns and resides at 365 Old Blue Rock pointing out on Applicant's Exhibit #3 his home. Mr. Smith stated he is a remodeling contractor, real estate investor, and a realtor. He is the last property on the north side of Blue Rock Road going into the dead end. Mr. Smith stated they also own the property on the south side as well. Mr. Thomas stated the northwest boundary line on the exhibit appears to be close to the edge of Mr. Smith's house and Mr. Smith stated there is not a clear marker showing the boundary line between the two properties. Mr. Smith stated they spoke to the former owners of the Dombach's property and told by them where the boundary is which is inconsistent with what is shown on the exhibit. There were no surveys and there are no pins. Mr. Smith guesses there is around 15 to 20 feet of setback from the Smith's house to the property

line. Mr. Smith indicated his kitchen and dining room would face the parking area and possible building lot on the first floor and master bedroom on the second floor. Mr. Smith stated there are numerous windows on that side. Mr. Smith stated he is concerned that the use being proposed seems inconsistent with the character of their neighborhood. In his opinion, the street will not support the traffic flow. The narrowest point in front of Mr. Smith's property is 15.7 feet. Mr. Smith stated when there is an occasion to go past their property, there is just barely room for both vehicles to pass on the pavement and when a vehicle is parked in either side of the road in front of their property there is not room for two vehicles to pass. The shoulders are soft dirt and not very wide and there are telephone poles, fence lines and hedges on either side that prevents vehicles from fully pulling off the paved surface. Mr. Smith stated the road is paved material, in fair condition, with areas where there are some pot holes and cracking. There is significant run off issues and in front of Mr. Smith's property and there is a drainage culvert across the road. Mr. Thomas asked if the run off issues are because of the geometry of the road and Mr. Smith stated correct. Mr. Smith is concerned with the proposed use being in the flood plain and does not believe it is good land development to put this type of venue in an "RL" Zone in a flood plain. Mr. Smith purchased his house from someone who lived in the area for 30 years and Mr. Kramer has been in the area for 52 years. The character of this neighborhood is well established and well-loved and they would contest that the proposed use would change that essential character of the neighborhood. The property values of everyone on the street would be negatively affected by the proposed use. Mr. Smith described the properties along Old Blue Rock Road. Mr. Smith was aware when they purchased their property, that this property could be developed but they do not agree the proposed use would be a good use. Mr. Smith stated he believes they moved into their property after hurricane "Lee" but the effects were still visible. Mr. Smith stated they were told by contractors who were doing work on the property before the Dombach's bought the property that the sewer line, which runs through the meadow and along the Dombach property, backs up and actually raw sewage had been pushed up the line due to the flooding. Mr. Smith talked about the storm "Sandy" and the amount of flooding during that storm. Mr. Smith stated every spring and fall at least one storm causes the creek to flow over its banks and Mr. Smith pointed out on the exhibit the areas that will flood. Mr. Smith is concerned with the noise. Mr. Smith noted there is no lighting at the present time. Mr. Smith stated there is not a lot of detail provided and he believes there would be other concerns but until plans are submitted it would be hard to comment. Mr. Smith believes the use as proposed will have an impact on the use and enjoyment of his property and the adjoining property owners. Mr. Smith stated they have wildlife that can walk the street and there is no lights, no music and no trash. Mr. Smith stated he loves historic buildings and does not want to see the mill demolished but the character of the neighborhood is not meant to be a commercial venue with parking, lights, and loud music. Mr. Smith stated he does not have any personal ill will towards the Dombach's. They have talked to the Dombach's numerous times and happy to have them as their neighbors.

Mr. Stanley asked Mr. Smith how long he has been a licensed realtor and Mr. Smith stated about one year. Mr. Stanley stated when Mr. Smith referenced the effect of super storm "Sandy" he referenced the meadow and that is the meadow behind the Dombach's home. Mr. Smith stated he referenced the meadow that would be on his property as well as the behind the mill and Dombach's property. Mr. Stanley stated Mr. Smith indicated it did not affect access to Old Blue Rock Road and Mr. Smith stated he indicated it did not affect his driveway.

Mr. Thomas had redirect. Mr. Smith described the effect the storm had on the property. He stated they called the Dombach's to let them know the water was coming up but it stayed about

one foot below their first floor level. Mr. Smith pointed out the area that was inaccessible on the exhibit. Mr. Smith stated for that storm the mill would have been encircled with water. Mr. Thomas stated the question was raised about emergency equipment and based on what Mr. Smith knows and what he has seen does he have any thoughts on emergency vehicles going down and turning around. Mr. Smith stated he would not want to speculate on whether a fire truck could go down and turn around per the proposed plan. Mr. Thomas asked if Mr. Smith had to pass a trash truck in front of his property could he do it and stay on the cartway. Mr. Smith stated he would be on the shoulder.

Mr. McManus asked with the objections Mr. Smith stated about the effect on the neighborhood and generally the use of the property for its proposed special event venue would your objections be similar if the mill were converted into a house of worship with capacity of 175 people. Mr. Smith stated he believed in essence he would as it is still in a flood zone on a tiny little street.

Mr. Kramer was sworn in. Mr. Kramer stated this is a very unused country road and asked Mr. Henise if he examined the road itself and what it is made out of. Mr. Henise stated nothing more than a visual inspection. Mr. Kramer had questions on the traffic count and time of day stating he did not agree with Mr. Henise's statements pertaining to the amount of traffic. Mr. Stanley stated they do not in any way want to prevent the neighbors from making statements but there is somewhat of a procedure as indicated and if there were questions of their witnesses now is not the time. Mr. Singer directed Mr. Kramer at this point only make comment. The question and answer period has ended. Mr. Kramer stated traffic on Old Blue Rock Road is a major concern as it is a small country road that is not made for a lot of traffic. Mr. Kramer talked about the composition of the road and indicated there are no speed limit signs and there are children on the road. Mr. Kramer felt there would be confusion directing vehicles to the church parking lot. Mr. Kramer feels his property value will go down expressing concerns with the traffic, blowing horns, tin cans tied to bumpers, people fueled by drinks, and cleanup of road after the party.

Mr. Stanley wanted to ask Ms. Love a question based upon a statement made by Mr. Smith pertaining to ability of fire trucks to turn around and navigate. Ms. Love stated Mr. Smith's testimony was with respect to Exhibit #3 The Site Plan Exhibit specifically the most northern access drive where it exits the parking area turns in direction towards the south and proceeds down and connects to the end of Old Blue Rock Road. Ms. Love stated you are looking at approximately a center line radius of somewhere in the vicinity of 70 feet that is adequate and they can confirm that with their turning movements. Obviously the road would be graded but they also look at the vertical alignment of the road, though not currently designed, they are confident that they can provide the means to fully engineer that and be able to achieve the required accessibility. As testified to earlier, it actually improves the safety particularly the buildings at the end of the road to have this design installed, thereby, creating essentially the loop where right now it is a dead end and would be difficult situation for the emergency vehicles at the end of the existing roadway.

Mr. Stanley called Mr. Dombach. Mr. Dombach was sworn in. Mr. Stanley stated Mr. Dombach heard the statement made by Mr. Smith that during the storm referenced "Sandy" that the Blue Rock access to your property was affected and Mr. Dombach stated that is correct. Mr. Dombach stated the garage is well above their house and the house would have been inundated with water if the area across the road was underwater. Mr. Dombach stated he believes the road is above the first level of their house, he stated that you actually walk down into their house.

Mr. Dombach pointed out on the plan the area of water stating it was in the basement but not close to the first floor. It was approximately 12-18 inches from the first floor. Mr. Stanley asked if access was affected from Blue Rock Road to the Dombach property. Mr. Dombach stated no they actually had a vehicle parked there.

Mr. Kramer stated Mr. Dombach indicated the music would have to stop at a certain time and the lights would have to be turned off at a certain time. He then asked what if they want to continue. Mr. Dombach stated their customer would have to adhere to their rules and there are security deposits made that could be held if the rules were broken.

Mr. Stanley called Gretchen Karr who was sworn in. Gretchen T. Karr stated she is a real estate agent with Berkshire Hathaway. Ms. Karr gave her educational background stating she has been in real estate business for 11 years. Mr. Stanley asked Ms. Karr if she was present when Mr. Smith indicated that the proposed special events venue would affect the valuation of his house and Ms. Karr stated she was. Mr. Stanley asked if prior to tonight's hearing did he ask Ms. Karr to undertake research of special event venues and the impact on surrounding properties and Ms. Karr stated yes. Mr. Stanley asked Ms. Karr to share an example. Ms. Karr referenced Pheasant Run Farm in Martic Township giving background information, explaining they did an adaptive reuse and talking about events that are held. Mr. Stanley asked in Ms. Karr's opinion would the operation proposed by the Dombach's, with the suggested conditions, have a negative impact on the value of the homes and Ms. Karr stated it would not. Mr. Stanley stated the basis of Ms. Karr's opinion is the number of years in the real estate business. Ms. Karr stated it is the experience of years but also what she has seen throughout residential neighborhoods with blighted properties. Especially older properties where the building falls into disarray and one year of not taking care of the building becomes two years, etc. and now it is to a state where someone very financially secure would need to come in and rehabilitate the property. The blight that she sees does bring down the values of the neighborhood. Mr. Stanley stated so if you had a mill that was not occupied such as the Dombach mill and the prior condition that Mr. Smith testified to that would have a negative impact on the property as opposed to what they are doing and what they are proposing. Ms. Karr stated it would have a severe impact. Mr. Stanley stated part of Ms. Karr's training as a realtor does it involve valuation analysis. Ms. Karr stated yes she has to fill out all the requirements of her broker's license and that includes 30 hours of appraisal procedures so yes the valuation education is there.

Mr. Thomas asked Ms. Karr if in the course of her doing property evaluations she becomes familiar with zoning ordinances and Ms. Karr stated a little. Mr. Thomas asked if she agreed a zoning ordinance creates expectations by land owners as to what permitted uses are in the zoning district and Ms. Karr agreed. Mr. Thomas asked the number of properties studied to come up with the opinion that the proposed use would have no impact. Ms. Karr stated the whole street and she has extensive knowledge of the Manor Township/Penn Manor area. Mr. Thomas asked if Ms. Karr agreed Pheasant Run Farm was along Rt. 324 in Pequea Township and Ms. Karr agreed. Mr. Thomas stated it is entered by a driveway off Rt. 324 instead of a dead end street and Ms. Karr stated yes. Mr. Thomas stated there is no flood plain there and Ms. Karr stated as far as she knows she has driven by the property but has not stepped foot on the property so she is not sure. Mr. Thomas asked if there is any neighbor closer than 500 feet and Ms. Karr stated she is not 100% sure but based on her mapping she got off GIS for Lancaster County she cannot tell.

Troy Isaak, 1 Holly Drive, was sworn in and wanted to make a statement. Mr. Isaak stated he is just off Ironstone Ridge Road. He stated his link to the Dombach's is that they have a

water feature in their backyard that is the dam for the mill. Mr. Isaak stated he met the Dombach's approximately 1 ½ years ago when they asked him to look at the mill as they were doing renovations. Mr. Isaak was excited with what they were doing because of the historic significance of the building and what it would mean to the Millersville Community and Manor Township. Mr. Isaak stated they were encouraged by what they had done. Ms. Isaak stated he hoped something could be worked out with neighbors that some kind of event could happen. There are many things that can go on besides weddings and hopefully things will work out for the Dombach's. Mr. Isaak understands the concerns. Ms. Isaak stated he has lived in his house 24 years and things change. They lived there before Ironstone Ridge Road was widened. When they moved in they saw little traffic, then when the new road was opened Millersville University traffic increased substantially, then came the middle school and elementary school so there has been a constant increase in traffic. They did not move, they adapted to what is there.

Joe Ritchey, 335 Ironstone Ridge Road was sworn in and wanted to make a statement. Mr. Ritchey is located directly across the stream from the Dombach's mill. Mr. Ritchey moved there in 1991 and his perspective on that mill is that he probably has as good or better view than most of the neighbors. All of the windows in his living area, front door, front porch, the area he lives in is directly across the stream from that mill. Mr. Ritchey appreciates the mill. Mr. Ritchey believes they all have a moral duty or responsibility to partner with preservation of that mill as it has been preserved for us for several hundred years and we need to help preserve it for the next couple hundred years. Once the mill is gone it is gone. Mr. Ritchey completely supports the Dombach's request to make this into a commercial establishment. Mr. Ritchey believes it will affect him as much as or more than anybody as it is a big part of his life. He appreciates the peace and quiet and the animals running around but one of the things that come to mind is that he is astounded that people move to Manor Township because they want to get out of the city and live in the country and the farm land and the first thing that happens is the farmer spreads manure and then they are upset. The mill was there several hundred years before any of them moved there and they knew the mill was there. He does not believe anyone said let's not buy this place because there is a beautiful old mill down the street. He believes they all appreciate it and the paramount reason they moved into the neighborhood. If they are realistic about it, they know there is a cost to it. Mr. Ritchey stated he watched that mill fall into disrepair for 24 years because it was not generating revenue. As soon as the restaurant closed, it started to fall into disrepair. When the roof on your house goes bad you must come up with a couple thousand dollars, when your mill roof goes bad you must sell your house to repair the roof on the mill. If we think about the money that needs to be generated by this mill so it can sustain itself, it is going to be a commercial enterprise. Mr. Ritchey stated the reason he supports the Dombach's is because he believes they have found a way for the mill to generate revenue with the least or lowest impact to the community. Mr. Ritchey stated he does not feel bad about having to slow down to let someone come by, to hear some noise, and watch the traffic as he feels it will affect him as much as anyone else and he supports it.

Carol Isaak, 1 Holly Drive, was sworn in and wanted to make a statement. Ms. Isaak lives directly across from the Dombach's. Ms. Isaak stated if you have been down Ironstone Ridge to see the waterfall her house is there. The waterfall is on the Dombach land but for 20 some years the Isaak's thought the waterfall was on their land. Ms. Isaak stated she is delighted to talk to the Dombach's. Ms. Isaak stated she and her husband are educators and they find the educational and historic value of the mill amazing. It is wonderful and she appreciates the work, the time, the money, the effort, and sacrifices the Dombach's have made to create a wonderful

property in Millersville. Millersville's culture is agricultural so there is something there to remind them of the heritage. Special occasions can include educational conferences, school house visits, children, and historical value for people interested in history. The traffic on the road would be upsetting if I lived on that road but as my husband indicated Ironstone Ridge Road was a buggy road when they moved in and it sure "ain't" anymore. They fought Walmart because they knew Ironstone Ridge Road would be the main artery for 18 wheelers taking things to Walmart. Ms. Isaak trusts and respects the Dombach's and would support them. They have been generous as neighbors and they know there are problems but Ms. Isaak trusts they will address them and speak to the people they way they have spoken to them. The Dombach's have maintained the waterfall.

Mr. McManus asked if council wanted to make any statements. Mr. Thomas stated if Mr. McManus would allow them to submit findings and conclusions they could save everyone's time. Mr. McManus stated they are welcome to submit any legal memorandum, any suggested findings and conclusions. Mr. McManus stated they may submit any suggested conditions in the event the Board were to grant the applications and they may stipulate to certain findings and conditions as well. Mr. McManus asked that although required to render a Decision within 45 days from the conclusion of the hearings they would have to call a special meeting for that, if however, the applicant would grant them until first regular meeting in May that would extend that time period to 55 days. Mr. Stanley stated he has spoken with his clients and that is acceptable. With respect to any submissions by council, Mr. McManus asked for the submissions by the 13th of April to be sent to Mr. McManus, to Mr. Ebersole, to each other, and to the parties.

Decision will be rendered at the May 6, 2015 regular meeting of the Manor Township Zoning Hearing Board in the Manor Township Municipal Building at 7:00 p.m.

There being no other business Mr. Singer stated the next meeting of the Manor Township Zoning Hearing Board will be Wednesday, April 1, 2015 at 7:00 p.m. The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Minutes

Wednesday, April 1, 2015

7:00 P.M.

Chairman Bradley Singer called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA, on Wednesday, April 1, 2015 at 7:00 p.m.

Chairman Singer made introductions and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris, and Mike Julian
Township Officials Present: James McManus III and Nickolas Ebersole
Visitors: Nick Oakes, Millersville University
Melanie Duffy, 32 Millersville Road
Alex Egner, 223 Millersville Road

Minutes – Mr. Julian made a motion to approve the March 12, 2015 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

New Business

Case #1-15 - The application of Melanie Duffy, property at 32 Millersville Road, Lancaster, PA 17603, account number 410-52912-0-0000 for a special exception of Section 204.3.5 in accordance with Section 435 Home Occupation and Section 605.3-Application for Special Exception. The Applicant would like to have a Hair Salon in the home. The property is zoned Medium Density Residential (RM). Mr. Singer turned the meeting over to Mr. McManus.

Mr. McManus asked that Mr. Ebersole be sworn in. Nickolas Paul Ebersole stated he is employed as the Zoning Officer with Manor Township and in that capacity he receives and administers applications that are submitted to the Zoning Hearing Board in Manor Township. Mr. Ebersole received the application indexed Case #1-15 that is the application of Melanie Duffy for a special exception for a Home Occupation that is a hair salon. The application was completed on a standard application form provided by the Township which consists of the form together with attachments showing properties in the vicinity of the subject property, plan of the proposed salon, a site plan of the property showing the improvements, a plan showing the second floor of the residence, a hand written narrative, a MLS Listing Sheet showing the specifics of the property that is the subject of this application and a copy of a current license. A notice of the time, date, place and subject matter of this application was published in the Lancaster Newspaper on March 18 and 25, 2015. Mr. Ebersole provided the Proof of Publication that was marked Exhibit #2 and the Application was marked Exhibit #1. Mr. Ebersole posted the property that is the subject of this application with a notice of the time, date, place and subject matter on March 12, 2015. Notice of the time, date, place and subject matter of this hearing was posted in the front lobby of the Township Building on March 19th. All of the notices contain the same language. Notice of the time, date, place and subject matter of this hearing was provided to adjacent land owners in accordance with the provisions of the Zoning Ordinance. There was no questions regarding the manner this hearing was advertised and the property posted.

Mr. McManus asked that Ms. Duffy be sworn in. Melanie Duffy stated the property is located at 32 Millersville Road. There was a nail salon and probably a hair salon before it was a nail salon at this location. Ms. Duffy stated she has not changed anything and what she submitted is how it still stands and the previous home occupations met the requirements before. The proposed hair salon meets the following criteria: Ms. Duffy stated her occupation will be a hair and skin salon and Ms. Duffy will be the sole operator. The proposed salon is attached to the home but is separate from her private living space which complies with the State Board of Cosmetology as well. There is a bathroom for the salon. At this time Ms. Duffy does not plan to have any employees and does not intend to alter the exterior with the exception of

landscaping. Ms. Duffy stated none of the activities associated with the salon would cause any of the concerns noted and should not draw attention beyond her property. She does not intend to sell or display any products other than the hair and skin care products she uses. She will not be using any mechanical equipment and there will be no goods or materials visible from the exterior of the salon. The salon meets the square footage requirements as demonstrated by the floor plans. There was a salon at this location in the past. The vehicle access to the salon is shared with the residential. The driveway consist of four parking spaces. There will not be any pickups by tractor trailer trucks. Any deliveries will be by UPS or Fed Ex vehicles. There will be no drive thru and she will not need any accessory storage. If this is approved, Ms. Duffy will be submitting her application for a sign that will be compliant with the Ordinance. A salon license cannot be applied for until she has written approval from the Township. Ms. Duffy provided a copy of her current professional license.

Mr. Julian asked how many drivers are currently residing at the residence. Ms. Duffy stated there are two drivers and two vehicles. Mr. Julian asked if there would be two vehicles on site typically during the day. Ms. Duffy advised only one vehicle would be on site during the day. Mr. Julian questioned the exterior lighting. Ms. Duffy stated there is sensor lights and a light located at Millersville Road and one at the end of the driveway. Mr. Julian had questions on the measurements of the driveway as shown on the drawing.

Mr. Peris asked the hours of operation. Ms. Duffy stated her clients will be by appointment only. Her hours would be approximately 8 a.m. to 8 p.m. Monday through Friday and Saturday mornings 8 a.m. to Noon. Ms. Duffy stated she would have Saturday appointments only two Saturdays a month.

Mr. McManus asked if she is the sole owner of the property. Ms. Duffy stated her mother is on the deed and Ms. Duffy provided a letter from her mother stating she is not opposed to the salon. The letter was marked Exhibit #3. Mr. McManus asked the present use of the building and Ms. Duffy stated it is her residence. Mr. McManus stated the fact sheet shows the lot contains 14,450 sq. ft. asking it that was correct. Ms. Duffy stated she only knows the lot size by what is on the papers. Mr. McManus verified the residence is two stories. Mr. McManus asked if the total square footage of the home is 1,700 sq. ft. and Ms. Duffy stated that was correct. Mr. McManus asked if Ms. Duffy is presenting to the Board that the total area planned to devote to the salon as shown on one of the attachments to the application that is labeled Floor Plan of Salon the total area of those rooms will be no more than 420 sq. ft. and Ms. Duffy stated correct. Ms. Duffy stated it is actually 360 sq. ft. Mr. McManus stated the exhibit shows 420 sq. ft. and Ms. Duffy stated that is all of it including the closet and bathroom that will be part of the salon. Mr. McManus stated you are asking the Board to approve an application for 420 sq. ft. as shown on this plan and Ms. Duffy stated correct. Access to the beauty salon will be an exterior entrance off the parking lot. There will be one chair in the salon. It is Ms. Duffy's testimony it would be unlikely to have more than two clients on the property at one time. Ms. Duffy would arrange her appointments to ensure only one person would be there at any one time. The parking spaces are lined. The only entrance to the parking area is off Temple Avenue which will not change. Ms. Duffy will sell only merchandise that is specifically used for her services and none of the merchandise will be publically displayed and visible from the outside. The property is served with public sewer and public water. Mr. McManus asked that the last page of the Exhibit be marked #4. Mr. McManus stated in the lower right hand corner it appears to be a copy of Ms. Duffy's current Cosmetology License with her registration code and license number and Ms.

Duffy stated that was correct. Mr. McManus verified there would be no alterations to the exterior of the residence.

Testimony was closed and Mr. Singer stated the members of the Board would consider the testimony given tonight. They will discuss this individually with their Solicitor and a decision will be rendered by the Board at the next meeting Wednesday, May 6, 2015 at 7:00 p.m. in this building.

The hearing was adjourned at 7:25 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Minutes

Wednesday, May 6, 2015

Time: 7:00 P.M.

Chairman Bradley Singer called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA, on Wednesday, May 6, 2015 at 7:00 p.m. Chairman Singer made introductions and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township Officials Present: James McManus III and Nickolas Ebersole
Visitors: Melanie Duffey, 104 Bayberry Dr.
Geroge Ries, Lancaster, PA
Don & Laura Dombach, 378 Old Blue Rock Rd.
Jim Caldwell, 3020 Columbia Ave.
Stephen Smith, 365 Old Blue Rock Rd.

Minutes - Mr. Julian made a motion to approve the April 1, 2015 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

Old Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances.

The Applicant would like to operate a special events venue. The property is zoned Low Density Residential (RL) and is in the Floodplain Zone (FP). Testimony is closed and a decision will be rendered.

Mr. McManus stated the decision was drafted as a result of his individual communications with each Board Member. Before the Board is a draft decision addressing both the variance and special exception request. The Board has the draft in front of them and if they wish it is appropriate to discuss the contents of that draft which is subject to revision or amendment at this time. Mr. Singer stated as previously discussed the only thing to be amended is to show both case numbers 10-14 and 11-14.

Mr. Peris read the decision stating in as much as, the Applicants do not propose any new structures within the FP-District and the Mill is determined to be eligible for listing on the National Register of Historic Places or the Pennsylvania Register of Historic Places, the Board hereby waives the requirements of Sections 211.9 and 211.10 of the Zoning Ordinance. Although the Board finds that an unnecessary hardship would result if the literal terms of the Zoning Ordinance were enforced with respect to the development of the Mill and Mill Property, the failure of the Applicants to demonstrate that any vehicular parking can lawfully be provided precludes the use of the existing Mill and development of the properties for the requested special events venue uses and activities. Accordingly, the Application for a Variance to the provisions of Section 203.2 (Permitted Uses) of the Zoning Ordinance to permit the use of the properties located at 378 Old Blue Rock Road, Millersville, Pennsylvania, Account No. 410-58039-0-0000, and 380 Old Blue Rock Road, Millersville, Pennsylvania Account No. 410-55215-0-0000 as a special events venue is denied. Mr. Peris made a motion to waive the requirements of Section 211.9 and 211.10 of the Zoning Ordinance and also move to deny the application for the Variance that would permit the special events venue. Mr. Singer asked for a second to waive the requirements. Mr. Julian seconded the motion to waive the sections. The motion carried unanimously. Mr. Singer asked for a second to the motion to deny the special events venue. Mr. Julian seconded the motion and the motion carried unanimously.

Case #1-15 - The application of Melanie Duffy, property at 32 Millersville Road, Lancaster, PA 17603, account number 410-52912-0-0000 for a special exception of Section 204.3.5 in accordance with Section 435 Home Occupation and Section 605.3-Application for Special Exception. The Applicant would like to have a Hair Salon in the home. The property is zoned Medium Density Residential (RM). Testimony is closed and a decision will be rendered.

Mr. Julian read, based upon the foregoing, the application of Melanie Duffy for a special exception to operate a beauty salon as a home occupation within a portion of her residence at 32 Millersville Road, Lancaster, Pennsylvania 17603, Parcel Account No. 410-52912-0-0000, pursuant to the provisions of Sections 204.3.5; 435 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) The Applicant shall adhere to the facts and dimensional criteria contained in her application, Exhibits, site plan and floor plans, as well as all testimony presented by the Applicant at the hearing held on April 1, 2015, 2) The area of the proposed business, including the lavatory, shall not exceed 420 square feet, 3) No exterior lighting on the Property shall produce glare perceptible by any adjoining residence, 4) The Applicant 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 on the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicant, her successors in interest and assigns. Mr. Peris made a motion to accept the decision. Mr. Julian seconded the motion and the motion carried unanimously. Mr. Singer stated the special exception is approved and the decision is accepted.

New Business

Case # 2-15 - The application of Keith and Megan Frey, property at 157 Coffee Street, Millersville, PA 17551, account number 410-04540-0-0000 for a special exception of Section 201.3.4 in accordance with Section 423 Conversion Apartments and Section 605.3-Application for Special Exception. The Applicant would like to convert an existing structure into living space. The property is zoned Agricultural (A).

Mr. McManus asked that Mr. Ebersole be sworn in. Mr. Ebersole was sworn stating his name is Nickolas Paul Ebersole and is employed as the Zoning Officer for Manor Township. In that capacity Mr. Ebersole receives and administers applications that come before and placed on the agenda of the Zoning Hearing Board. Mr. Ebersole received Application Indexed at 2-15 the application of Keith and Megan Frey. The application was prepared on a standard Manor Township Zoning Hearing Board Application Form for Special Exception and was completed and signed by the Applicants. Submitted along with the Application was plans and narratives. There was a brief narrative of the area proposed to be converted, a narrative identifying the provisions of 702.2 of the Zoning Ordinance, list of adjoining property owners, a hand prepared plan of the first floor showing what is reported to be the conversion apartment, another hand drawing of the second floor of that same structure, site plan showing the location of the intended residential conversion structure in relationship to surrounding properties, a separate listing of the provisions of the Zoning Ordinance of Section 423, a directive from a Donald C. Hershey a prior owner of the property stating he sold the property to the present applicants and finally a letter dated March 26, 2015 from David L. Lockard, Sewage Enforcement Officer of Manor Township relating to the sewage disposal system on the site which is the subject of this application. The Application was marked Exhibit #1. In addition to the application, the property which is the subject of this application was posted with notice of the time, date, place and subject matter of this hearing on April 21, 2015. A notice of the time, date, place and subject matter was published in the Lancaster Newspapers on April 22 and 29, 2015. Notice of the time, date, place and subject matter was posted in the lobby of the Township Municipal building. Proof of publication was marked Exhibit #2. Notice of the time, date, place and subject matter was sent to the adjoining property owners.

Keith and Megan Frey were sworn in. Megan Frey stated they were asking permission to get a permit to make a conversion apartment. Ms. Frey went through Section 423 indicating how they comply. Section 423.1 it is within the agriculture zone. Section 423.2 there is an attached letter providing evidence that the building being converted was existing before September 2, 1992 and that is the letter attached from Donald C. Hershey the former owner. Section 423.3 letter is attached from Dave Lockard, Sewage Enforcement Officer indicating the system can handle the apartment. Section 423.4 there will be no exterior modifications except the required entry doors and windows. Section 423.5 there will be a direct means of fire escape through the main entrance and ground level. There will be at least one fire detection device installed. Section 423.6 the proposed apartment is intended for a family member and will not be

advertised. Section 423.7 the building will contain one dwelling unit with approximately 1,038 square feet of habitable floor area. Section 423.8 there is approximately 60 feet of parking area available. Section 423.9 the proposed apartment will be located on 33 acres of land. Section 423.10 the proposed conversion will be confined to the interior of the existing structural shell of the storage shed as marked on the map.

Application for Zoning Permits 1A- actual dimensions and shape of the lot to be developed is not applicable as they are not actually developing the lot. 1B-location of the structure to be altered is circled on the map. It is 100 feet from the main road and the dimensions of the entire structure is 42 feet by 24 feet. 1C-the structure to be altered is currently used as a storage shed so they are proposing to convert the shed into an approximate 1,038 square foot apartment with an occupancy of one person. 1D-there is approximately 60 feet of off street parking available for the proposed apartment. 1E, F, G and H are not applicable to this application.

Ms. Frey read that the existing structure to be converted measures 42 feet by 24 feet and sits approximately 100 feet off the main road in the agricultural zone. The structure which existed before September 2, 1992 is located on 33 acres of land owned by Keith D. and Megan L. Frey. Currently the structure is used as a storage shed and the proposed conversion to be made to the existing structure is to be used as an approximate 1,038 square foot apartment. The apartment will have only one resident that being Megan Frey's mother. There will be no advertising. The proposed conversion will use the utility services already in place. The Sewage Enforcement Officer inspected the existing system stating that no alterations are required to be made to the current system. A ground level main entrance will serve as a fire escape and at least one fire detection device will be installed. Approximately 60 feet of off street parking will be made available in the front of the structure. The only exterior changes to be made will be the required main entrance door and several windows.

Mr. Julian asked if the driveway in red on the drawing currently exists and Ms. Frey stated yes.

Mr. Peris had questions on the proposed parking and the location.

Mr. Julian asked if the mobile home is currently rented and this proposed conversion will be a second unit being added but only a total of two if this is granted. Ms. Frey stated yes.

Mr. Singer asked if there is currently well water supplied to the building and will have adequate water for another residence. Mr. Frey stated yes.

Mr. McManus asked if the driveway is stoned or paved. Ms. Frey stated it is blacktopped around the residential area. Mr. Frey stated the width is approximately 50 feet. Mr. McManus asked if the parking provided for the conversion unit would meet the dimensional requirements of the zoning ordinance and Mr. Frey stated yes. On the 33 acre farm there will be three residential units. Mr. McManus asked if their testimony by virtue of Mr. Lockard's inspection of the tract the addition of another unit would not require any modification to the existing on lot sewer system and they stated correct.

Mr. Singer stated the Board will independently contact the Solicitor with their opinions on the application after which he will draw up a draft decision that will be rendered at the June 3, 2015 meeting.

Case # 3-15 - The application of Rettew Associates, Inc., property at 3024 Columbia Avenue, Lancaster, PA 17603, account number 410-74390-0-0000 for a variance of Article 3, Section 315 Signs, in accordance with Section 605.4 - Variances. The applicant would like a permanent free standing off-site sign. The property is zoned General Commercial (GC).

Mr. McManus asked that Mr. Ebersole be sworn in. Nickolas Paul Ebersole stated he is employed as the Zoning Officer for Manor Township and in that capacity he received the application of Rettew Associates indexed at 3-15. The application was prepared on a standard Manor Township Application form for a variance. The application is signed and contains a one page, 2 sided printed narrative, a plan of the various buildings, street and proposed sign location, an aerial photo of the site that is the subject of this application together with the surrounding properties. The Application was marked Exhibit #1. Notice of the time, date, place and subject matter was published in the Lancaster Newspapers on April 22 and 29, 2015. Proof of publication was marked Exhibit #2. The same notification was posted on the property that is the subject of this application identifying the time, date, place and subject matter of this hearing on April 21, 2015. The same notice was placed in the lobby of the Township Building on April 21. Adjoining property owners were notified of the hearing.

Jim Caldwell with Rettew Associates was present on behalf of Rettew Associates and 3020 Associates. Mr. Caldwell was sworn in. Mr. Caldwell stated he is Group Manager with Rettew Associates and their offices are located at 3020 Columbia Avenue. Mr. Caldwell stated he is requesting a variance as Article III General Provisions Section 315 Signs Table 1 Regulations for permanent signs and other requirements to allow an offsite business sign for Rettew Associates. Mr. Caldwell stated the property is located along the south side of Columbia Avenue three doors east of the intersection of Centerville Road. The original office was in the old farm house located on Columbia Avenue and in 1998 they began construction of new office buildings to the rear. Prior to the construction of the Woods Edge Project and the extension of Centerville Road there was Kready Road which was the connection from Columbia Avenue by Kready Road to Charlestown Road. With the construction of South Centerville a portion of Kready Road was vacated by the Township. Some of South Centerville Road is still part of the old Kready Road. Rettew had occupied both buildings for their daily business up until November 2013. Since that time the employees are now housed to what is called Building #2. 3020 Associates owns the property and Rettew Associates is a tenant of 3020 Associates. Rettew Associates still maintains a lease on the back half of Building #1 that is being used for storage purposes on the ground floor and basement floor. The building is actively being marketed for sale and/or lease. They are present for a variance for off-site business sign. The definition of an offsite business sign is that it would direct attention to business that is occurring off the premises. They are dealing with two separate properties and Mr. Caldwell pointed out the two properties on the plan. Mr. Caldwell stated the property with Building #1 has frontage on Columbia Avenue and the property where the business is actually occurring is the "L" shaped property to the rear of Building #1. The lot with Building #2 does not have frontage on Columbia Avenue. This proposal relates solely to the sign criteria. No other improvements are proposed except for the sign. The property is located in the General Commercial District within that district maximum permitted signs is one per frontage. The maximum permitted area is 40 square feet and the sign itself will be 4 foot by 8 foot total of 32 square feet on a pedestal of approximately 18 inches high. The maximum permitted height is 20 feet and the proposed sign is six feet. The required setback is ten feet from the street right-of-way line and the proposed sign is at the northeast corner indicating minimum dimension of ten feet from the right-of-way line. Other than the sign, there are no other changes proposed to the property at 3024 or 3020 Columbia Avenue. With regards to the variance applications Mr. Caldwell feels it is a dimensional or locational variance which generally does not need to meet the need of all of the requirements of Section 605.4, however, recognizing the importance of addressing those Mr. Caldwell has provided some

feedback. Section 605.4.1 of the Zoning Ordinance – The premises on which the business is occurring is located along what was formally Kready Road. Prior to the vacating of Kready Road they were along a public road but that is no longer the case. The construction of Centerville Road and vacating of Kready Road created a land locked area with limited frontage on public road. 3020 has frontage on S. Centerville Road at the Real Estate Company, this is their driveway. Section 605.4.2-Because of such physical circumstances or conditions it is not possible to develop in strict conformity with provisions of the Ordinance. They are requesting the variance to allow the sign to be placed on Columbia Avenue where it is visible to the traveling public and will be safer for people coming to their office. Section 605.4.3- Unnecessary hardship has not been created by the applicant, although they did chose to build the building where it is, but the vacating of Kready Road was what landlocked them from the traveling public. Section 605.4 – Essential character of the neighbor will not be altered. The property is located in the General Commercial Zone. The adjoining properties, both east and west, are all commercial properties. The sign they are proposing is consistent with existing signs. Section 605.4.5 - The request to locate the offsite business sign on the property located 3024 Columbia Avenue for business occurring on 3020 Columbia Avenue represents the minimal variance necessary to afford relief and the least modification of the business sign definition. Section 605.4.6 – This site is not located within a floodplain. Section 605.4.7 – In granting a variance the Board may attach such reasonable conditions as deemed necessary. They acknowledge the authority of the Board to attach such conditions as they believe necessary to implement the purpose of the Ordinance. Section 605.4.8 – Filing Requirements – there are really no plans. They did provide a general representation of the proposed sign. Names and addresses of adjoining property owners were provided, the site plan was provided, and description of the proposed use was provided. Based on the information provided they are requesting that the Zoning Hearing Board grant the variance requested that allows to put a sign back up.

Mr. Julian had questions on the egress and the address of the buildings.

Mr. Peris had questions on the driveway to Columbia Avenue regarding the ownership. Mr. Peris had questions on the sign if Building #1 was sold. Mr. Caldwell advised the property would be sold with conditions. Mr. Peris also had questions on the parking.

Ron Beam part owner of 3020 Associates was sworn in.

Mr. McManus verified by virtue of their portion of the abandoned portion of Kready Road that extension to Centerville Road gives them the only property right to Centerville Road. Mr. Caldwell stated that was correct. Mr. McManus asked Mr. Caldwell to point out the driveway on the plan provided in the application. Mr. McManus had questions on the abandoned portion of Kready Road. Mr. McManus asked the width of area. Mr. Caldwell stated 40 feet. Mr. McManus asked does the driveway give access to South Centerville Road and does the current business have access to Columbia Avenue. Mr. Caldwell stated yes. Mr. McManus verified that is by virtue of another private driveway to Columbia Avenue and Mr. Caldwell stated the former Kready Road. There are two private driveways that give access to public roads and Mr. Caldwell stated correct. Mr. McManus verified that within the 40 feet they could not erect a free standing business sign that met the setback requirements of the Zoning Ordinance. Mr. Beam stated they have to be within the right-of-way as there are meter pits on either side of the entrance which are fairly large. Mr. McManus stated testimony is they cannot locate a compliant sign along Centerville Road on property that they own. Mr. Caldwell stated that is correct. Mr. McManus asked Mr. Ebersole if there is limitation to the number of free standing

business signs that can occur on any one business property. Mr. Ebersole stated there is. Mr. Ebersole stated for a free standing sign the maximum number per lot would be one. Mr. McManus stated if the variance were granted to permit this free standing sign on 3024 the old Rettew facility, do you have the authority to guarantee that no other free standing business sign would be located on that property. Mr. Caldwell stated it would be up to the limitations of the Ordinance and the future owner would need to see the necessary relief. Mr. McManus stated you recognize if the relief were granted that would be the quota for that lot. Mr. Caldwell stated they could have a free standing sign with a section sign above if this Board would grant approval. Mr. Caldwell stated there are options. Mr. Beam stated he thought he had a buyer and he was going to stipulate that the sign on that property would accommodate both businesses. Mr. McManus verified that testimony is that if the Board were to grant relief that you can assure the Board that this sign would be compliant with respect to the Zoning Ordinance with respect to area, advertising and the number of businesses that could advertise. Mr. Caldwell stated that was correct. Mr. McManus asked the date Kready Avenue was abandoned. Mr. Beam stated it had to be in the 80's between 1985 and 1990. Mr. McManus asked when they built the new building. Mr. Beam stated 1998. Mr. McManus stated until relatively recently signage on Columbia Avenue advertised both buildings. Mr. Beam stated that is correct. Mr. McManus stated with respect to the ownership of the buildings Mr. Beam is the legal owner. Mr. Beam stated correct and his full name is Ronald K. Beam under 3020 Associates LLP. Mr. Beam stated it is a limited liability partnership with Mr. Beam and Geroge W. Rettew Jr. Mr. McManus asked if Mr. Beam retains an interest in 3024. Mr. Beam stated he has retired from Rettew and still has a minority shareholder's interest which will end around August. Mr. McManus verified the hardship they are identifying goes back to the abandonment of Kready Road and Mr. Beam stated correct.

Mr. Singer stated testimony is closed and they will render a decision at June 3 at their regular scheduled meeting at 7:00 p.m. in this building.

There being no further business Mr. Julian made a motion to adjourn the meeting. Mr. Peris seconded the motion and the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Minutes

Wednesday, June 3, 2015

Time: 7:00 P.M.

Vice Chairman Chris Peris called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA on Wednesday, June 3, 2015 at 7:00 p.m. Vice Chairman Peris made introductions and led those in attendance in Pledge of Allegiance to the Flag.

Members Present: Chris Peris and Mike Julian

Member Absent: Brandley Singer

Township Officials Present: James McManus III and Nickolas Ebersole

Visitors: Keith & Megan Frey
James Caldwell

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

Old Business

Mr. Peris stated tonight decisions will be rendered on two cases. The testimony on both cases was closed at the May 6, 2015 meeting. The members of the Manor Township Zoning Hearing Board individually consider each testimony presented and provides the Board's Attorney with their conclusions. James McManus, Solicitor, for the Board compiles three members' determinations, drafts and decisions that is then distributed to each of the Members of the Board. Tonight these decisions will be rendered.

Case # 2-15 - The application of Keith and Megan Frey, property at 157 Coffee Street, Millersville, PA 17551, account number 410-04540-0-0000 for a special exception of Section 201.3.4 in accordance with Section 423 Conversion Apartments and Section 605.3-Application for Special Exception. The Applicant would like to convert an existing structure into living space. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered. There was no discussion regarding the draft decision

Mr. Julian made a motion that the Board accept the written decision. Mr. Julian stated based upon the foregoing, the application of Keith D. Frey and Megan L. Frey for a special exception to convert a storage shed into a conversion apartment unit containing 1,038 square feet on their property located at 157 Coffee Street, Millersville, Pennsylvania 17551, Lancaster County Tax Assessment Account No. 410-04540-0-0000, pursuant to the provisions of Sections 201.3.4; 423 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1. The Applicants shall adhere to the facts and dimensional criteria contained in their application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicants at the hearing held on May 6, 2015. 2) The Applicants shall comply with all applicable State and local regulations regarding the construction, use and occupancy of the proposed conversion apartment. 3. The conversion apartments use shall comply with all applicable building code regulations for the intended conversion apartments use and the Applicants shall obtain all associated required permits. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be

subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns. Mr. Peris seconded the motion and the motion carried unanimously.

Case # 3-15 - The application of Rettew Associates, Inc., property at 3024 Columbia Avenue, Lancaster, PA 17603, account number 410-74390-0-0000 for a variance of Article 3, Section 315 Signs, in accordance with Section 605.4 - Variances. The applicant would like a permanent free standing off-site sign. The property is zoned General Commercial (GC). Testimony is closed and a decision will be rendered. There was no discussion regarding the draft decision.

Mr. Julian made to approve the written decision of the Board in the application of Rettew Associates on behalf of 3020 Associates, LLP #3-15 granting a variance to the provisions of Section 315, Signs, Subsection 315.2.4, Business Signs, Table 1, to permit the erection of an off-premises free standing business identification sign located at 3024 Columbia Avenue, Lancaster, Pennsylvania 17603 (Account No. 410-74390-0-0000) to advertise its business offices located at 3020 Columbia Avenue, Lancaster, Pennsylvania 17603 is granted subject to the following conditions: 1. The Applicant shall at all times comply with and adhere to the plans, Exhibits and all other evidence presented to the Board by Applicant or on its behalf at the hearing held on May 6, 2015. 2. The Applicant shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and square footage limitations applicable to the proposed free-standing business identification sign. Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicant, its successors in interest and assigns.

Mr. Peris seconded the motion and the motion carried unanimously.

There being no further business the hearing was adjourned at 7:13 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, December 2, 2015

Time: 7:00 P.M.

Chairman Bradley Singer called the meeting to order on December 2, 2015 at 7:00 p.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Singer introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township Officials Present: Nick Ebersole and James R. McManus III
Visitors: Todd Lehman, 3130 Columbia Avenue
Patricia & Frantz Herr, 746 Hershey Mill Rd
Todd Smeigh, D. C. Gohn Associates, Inc.

Minutes – Mr. Julian made a motion to approve the June 3, 2015 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

New Business

Case # 4-15 - The application of Interiors Home, property located at 3130 Columbia Avenue, Lancaster, PA 17603, Account # 4106522900000 for a variance of Section 315 Table 1 Maximum Permitted Area for Permanent Signs, in accordance with Section 605.4 - Variances. The Applicant would like to exceed the maximum permitted area for permanent signs. The property is zoned General Commercial (GC). Mr. Singer turned the meeting over to Mr. McManus.

Mr. McManus asked who was present on behalf of Interiors Home. David Milisock with Advance Signs and Graphics along with the owner Todd Lehman were present. Mr. Milisock, Mr. Lehman and Mr. Ebersole were sworn in.

Nickolas Paul Ebersole stated he is employed as the Zoning Officer with Manor Township and in that capacity he receives and administers applications that came before the Zoning Hearing Board. Mr. Ebersole received the application indexed at #4-15 that of Interiors Home. The application was prepared on a standard form provided by the Township. Attached to the application are two narrative pages, first of which contains two paragraphs relating to a variance request in bold type and in smaller type another page captioned 3130 Columbia Avenue Interiors, and a series 11 separate photographs. The application was marked Exhibit #1. Mr. Ebersole prepared an advertisement that was published in the Lancaster Newspapers of the time, date, place, and subject matter of this hearing on November 18 and 25, 2015. Proof of publication was marked Exhibit #2. Mr. Ebersole posted a notice on the property that is the subject of this application of the date, time, place and subject matter on November 18 and the same notice was placed in the lobby of the Municipal building on November 18. The notice had the same language as in the newspaper. Mr. Ebersole provided notice of the time, date, place and subject matter of this hearing to adjoining property owners of subject property that is in accordance of the Zoning Ordinance. Mr. Ebersole can provide a list of adjoining property owners. There was no questions regarding the manner in which the hearing has been advertised and notice provided.

David Milisock is employed by Advance Sign and Graphics the contractor for the signage located at 1165 Manheim Pike, Lancaster, PA 17602. Mr. Milisock stated the property was

purchased in 1981 before the intersection of Centerville Road and Columbia Avenue was developed. Mr. Milisock provided pictures of the property without and with signage. The photo without the signage was marked Exhibit #1A and the one with the proposed building signage was marked Exhibit #1B. The signage shown on the photograph is within the allowed amount for this property by the current regulations. The proposed sign on the building and the monument sign together exceeds the entire lot limit. Mr. Milisock provided an aerial view of the overall lot marked Exhibit #1C that shows the boundaries of the property. The next photograph marked Exhibit #1D shows the monument sign of the proposed version not the current version. Mr. McManus stated in the application there was reference to a pylon sign and is that the same as the monument sign. Mr. Milisock stated they are the same sign. Mr. McManus asked if they could also be referred to as freestanding sign. Mr. McManus advised the Board that a pylon, monument, and freestanding are all the same sign. Photograph Exhibit #1E is the monument sign. The proposed change is simply a remodeling of the structure to match the building and a 4 foot by 8 foot expansion of the signage area. The sign would be enlarged vertically. With the proposed signage on the building and the proposed change to the freestanding sign the cumulative total is 293 square feet. Photographs that show the building sign letters have been designed to be 17 inches in height and as they move left to right of the building it will be evident why that is marked Exhibit #1F. Exhibit #1G shows the Choice Windows. Exhibit #1H is the main Interiors Home and the center of the building. To the right there is a channel built into the side of the building and the signs are designed to fit inside the channels so that it is aesthetically pleasing, photo marked Exhibit #1I. Exhibit #1J shows Martin Flooring signage. Exhibit #1K is photos of the surrounding Manor Township and Exhibit #1L is the East Hempfield Township view. Exhibit #1M is an aerial map showing the distance from the curb side to the current sign, which is 18 feet. The distance from the sign to the intersection is 624 feet.

Mr. Milisock stated in 1981 the property became an Interior's store and at that time the property to the east was not developed. It is now difficult to take notice of the signage from the Centerville Road intersection for Interiors. Approaching Columbia Avenue from Centerville Road looking to the west, the shrubs in the shopping center completely obscure the Interiors sign. Mr. Milisock stated raising the sign will allow the people at the intersection to be able to see the sign above the shrubbery from the south, will be a better view coming from the north, and will allow people to see it sooner coming from the east and west allowing people time to brake. The issue is safety and aesthetics. The proposed sign is not a radical change in terms of the aesthetics. It is a monument sign that is built to be pleasing with the building. The business has changed and there is now several tenants in the building. They have complied with the variances in doing a minimum that they can possibly do. They have addressed the aesthetic value of the neighborhood and have addressed the hardship which basically was incurred because of the development of the intersection directly to the east.

Mr. Julian referred to Exhibit #1D stating it sounds like the issue that generates this request is they would like to get it higher in the air. Mr. Milisock stated it needs to be over the shrubbery for the south view. Mr. Julian had questions on the new section of the sign. Mr. Milisock stated the Interiors Home will be on the 4 foot by 8 foot wide section. Mr. Milisock referred to Exhibit #1E. Mr. Peris stated Mr. Milisock was saying there is no way to make the sign fit the current Zoning Ordinance. Mr. Milisock stated he would be going up 2 feet instead of 4. Mr. Julian stated the proposed sign is what makes it go over the limit asking if there is any way to address the overall signage concerns by reducing the signs that are on the building. Mr. Milisock

stated if reduce the size of the signs on the building they get into an issue where now the signs are so small they are barely visible from the road. The problem is legibility. If they go under 17 inches, are the signs on the building going to be effective. If they make the pylon sign lower are they giving themselves any room if the bush grows? Mr. Peris asked if the bush referred to is on another property. Mr. Milisock advised the shrubbery is on the shopping center property. Mr. Peris verified Mr. Milisock was asking the sign to be seen from the intersection a property down from the actual corner property. Mr. McManus referred to the free standing sign stating the existing sign contains 64 sq. ft. of signage and they wish to increase that to 97.33 sq. ft. Mr. Milisock stated it will actually be 96 sq. ft. Mr. McManus asked the square footage of the existing building signs. Mr. Milisock stated there is only one on the building sign presently that says "Interiors" that is 67.5 sq. ft. Mr. Julian noted the current signage is on the inside of the windows and Mr. Milisock stated the concept is that they would go away. Mr. McManus stated the total signage on the tract consists of 131 ½ sq. ft. being 67 ½ sq. ft. for the wall sign and 64 sq. ft. for the free standing sign. That is existing. Proposed it would increase the wall signs to 195.82 sq. ft. and the area of signage on the free standing sign to 96 sq. ft., Mr. Milisock agreed with the square footage. Mr. McManus stated the total existing signage for the tract would be 131 ½ sq. ft. and they are proposing that be increased to a total of 291.82 sq. ft. Mr. Milisock agreed with Mr. McManus. Mr. McManus stated based upon Mr. Milisock's proposal, do they recognize the maximum signage square footage for a freestanding sign under the Ordinance is 80 sq. ft. Mr. Milisock stated he did not know the maximum square footage. Mr. McManus asked Mr. Ebersole if the maximum permitted square footage for a free standing sign in this district at this location 80 sq. ft. Mr. Ebersole stated yes that is the maximum allowed by the Ordinance and Mr. Milisock's lot specifically would go by the amount of road frontage. Mr. McManus stated the maximum permitted would be 80 sq. ft. asking if this is not what the application is all about. It is asking relief in two ways. For the total square footage to exceed the total for the tract and the total permitted would be 280 sq. ft. and asking for 291.82 sq. ft. They are asking for approximately 12 sq. ft. more than allowed but all of that would be realized in the free standing sign which would go to 96 sq. ft. The two fold variance would be to the 80 sq. ft. maximum of the free standing and to exceed the total square foot of signage eligible for this parcel of land. Mr. McManus asked if there was anything he said that was incorrect. Mr. Milisock stated Mr. McManus had a grasp of the situation. Mr. Peris understands the applicant wants to build a monument sign matching the building but realize the amount of square footage that takes up in framing and asked if the applicants is unable to fit that into the font they want without the framing. Mr. Milisock stated to change the basic design of the sign and start messing with the frame they have an issue. Mr. Milisock stated the real structure is inside the sign and the square footage seen does not include the pylon and pillars. It is just the sign itself. There is an engineering problem if they would start messing with the structure. There is an engineered drawing that will be required as they will be increasing the wind load. Mr. Milisock stated the simpler thing is to pull the façade off, double check with engineer's drawing to make sure they have the wind load, if do not reinforce the foundation that is already there and then go straight up. Mr. Milisock stated he cannot increase the service area of the sign without violating the permit. Mr. McManus verified that the proposed freestanding sign will not replace the existing but be an addition to it. Mr. Milisock stated it is a remodel of the existing sign. Mr. McManus asked if the proposed sign will be placed in the footprint of the existing sign and Mr. Milisock stated in the same place. Mr. McManus verified it will not be any wider, deeper, it will simply be higher with the same framing shown to the Board. Mr. Milisock stated it will

simply be higher. Mr. McManus asked if the sign will be illuminated and Mr. Milisock stated yes as it is currently illuminated and will continue to be illuminated. Mr. McManus stated he assumes all the lettering on the sign will be fixed and not rotating or mechanical. Mr. Milisock stated it will be what is called static signage. The structure will be UV resistance poly carbonate. Mr. McManus referred to Exhibit #1D that is the proposed asking when they provided the area of the sign did they essentially outline the white area. Mr. Milisock stated it is only the sign cabinet itself that is the white area. Mr. Julian had questions on the sign lighting asking if the light output would be increased be about 30 percent. Mr. Milisock stated you do not get a light amplification because you have another pylon on top it is going to be timer activated with illumination presently until midnight. Mr. Milisock stated regarding the lighting the channel letters on the building will be in sync with the freestanding sign. Mr. Peris asked if the signage on the building is back lit letters or light shining on them. Mr. Milisock stated they have been discussed as face lit 12 volt LED.

Mr. Lehman addressed the comment about the size of the letters. Mr. Lehman stated they wanted to present a comprehensive view of what the whole package will look. They feel there is a minimum letter size they need on the building so they wanted to clean it up and get all the signs consistent with the same size of lettering and in so doing provide the adequate amount of signage for the monument sign as well.

Mr. McManus asked Mr. Ebersole if the exhibits showing the wall signs or letter on the building is in violation of any provision of the Zoning Ordinance. Mr. Ebersole stated from what he looked at there is nothing that would violate any language or the sizes.

Mr. Singer stated the Board will take the application under advisement. They each review the testimony presented, the exhibits, and then individually talk to their Solicitor. When the Solicitor has gained the input from Board members a draft decision is provided and at the next meeting they will make the decision public. Mr. McManus stated there will be no decision of the Board rendered until its public meeting next month, however, the Board will provide input to Mr. McManus and he will prepare a draft for their review which they will consider when they deliberate and render their decision in January.

The Board took a five minute recess.

Case # 5-15 - The application of William Frantz Herr and Patricia H. Herr, property located at 746 Hershey Mill Road, Mountville, PA 17554, Account # 4102859300000 for a variance of Section 201.4.2.A Lot Area Requirements, in accordance with Section 605.4 - Variances. The Applicant would like to exceed the maximum lot size of two acres. The property is zoned Agriculture (A). Mr. Singer turned the meeting over to Mr. McManus.

Mr. McManus stated the Zoning Officer has been sworn at the beginning of the proceedings. Nickolas Paul Ebersole stated he is employed as the Zoning Officer for Manor Township and in that capacity receives and administers applications that come before the Zoning Hearing Board. Mr. Ebersole received the application indexed at #5-15 of William Frantz Herr Jr. and Patricia H. Herr for a variance. The application was prepared on a standard Manor Township Zoning Hearing Board Application form. The application was accompanied by four page narrative and three photographs and what appears to be a plot plan, document that appears to be a copy of a deed and a site plan captioned "Zoning Exhibit B for W. Frantz Herr, Jr. prepared by D. C. Gohn Associates". The Application was marked Exhibit #1. Mr. Ebersole prepared a notification for publication in the Lancaster Newspapers of the time, date, place and subject matter of this

hearing on November 18 and 25, 2015. Proof of publication was marked Exhibit #2. Mr. Ebersole posted a notice of the date, time, place and subject matter on the property that is the subject of this hearing on November 18, 2015 and the language was the same as the newspapers advertisement. A notice of the time, date, place and subject matter was posted in the Municipal Building in the front lobby on November 18. All notifications contain the same information. A notice was sent to adjoining property owners of the date, time, place and subject matter of the hearing on November 18. Mr. Ebersole can produce a list of the adjoining property owners. There was no questions regarding the manner which the hearing has been advertised and properly posted and notice given. Mr. McManus asked that the Todd Smeigh and Mr. and Mrs. Herr be sworn in

Todd Smeigh from D. C. Gohn Associates, Inc. stated Frantz and Patricia Herr own a 64 acre property at which they reside 746 Hershey Mill Road in Manor Township. The property is shown on Exhibit #1A. There was another aerial view of the subject property marked Exhibit #1B. Mr. Smeigh stated in his experience it has become rather prevalent for individual who own agricultural properties to subdivide their residence from the farm land for numerous reasons. Mr. Smeigh stated he is finding individuals owning agricultural properties are subdividing their homestead off instead of a lot to build on. The Herr's intent is to subdivide their homestead from the remaining agricultural portion of the property. Mr. Smeigh referred to Exhibit #1B, in which the aerial imagery is from a website called PA Data. This exhibit shows the entire 64 acre parcel owned by the Herr's. The north side of the property is bordered by Hershey Mill Road, west side bordered by Central Manor Road, southern side bordered by a residential use along Central Manor Road and the balance by agricultural property, on east bordered by high density residential properties and on the north with a mix of residential and agricultural properties. The subject property has two primary uses. On the western most side it is an active agricultural use and on the east side, where their residence is located, it is a residential use. The variance request is to allow a subdivision for the creation of a lot which is described as Lot 1 on both Exhibit #1A and #1B. Lot 1 is proposed to be 17.84 acres. Lot 1 as proposed is primarily surrounded by mature trees with the photographs included in Exhibit #1 demonstrated several things. First the care and manicure the Herr's take of their property, the fact the buildings on the property the home, barns and out buildings are from the 1700's and the maturity of the trees. The property in this condition has existed for some time and well preexisted any zoning regulations. Their intent is to subdivide this property according to the use. The aerial photograph in Mr. Smeigh's opinion on the east side of the property clearly shows the residential use the Herr's have provides a transition zone or buffer between the high density residential zoning district that does exist on the east and north side between that residential use and surrounding agricultural zone and active agricultural uses. There are no physical changes, improvements, construction activities, or earth disturbances proposed as part of the subdivision being proposed. The owners acknowledge as this property exists in the agricultural district they are allowed two subdivision rights which this would utilize one and they have no desire to subdivide this in any other fashion of capacity. This particular subdivision line shown was not picked haphazardly. There is an existing farm lane that is actively used to access the agricultural land and there is a macadam driveway that serves as access to the Herr residence. The proposed line is in accordance with subdivision regulations as far as configuration but also with the uses. The site area shown was calculated based upon a boots on the ground survey.

Performance for Variances as numerated under Section 605.4 –

Item #1 – They believe there are unique physical conditions on the subject property that would create a hardship in subdividing the 64 acre parcel as it currently exists in strict conformity with the section of the code that allows for a two acre maximum lot size. The existing historic structures, the home and out buildings, are situated on the eastern third of the property. The driveway, buildings and mature landscaping, pond, existing drainage that goes through that parcel, and the slope that exists on the southernmost portion of the 17 acre area limit the contiguous use of the land in a productive agricultural fashion. The improvements that have been there for many years tend to cut apart the residential area and the productive agriculture land. The location of the structures are situated approximately 600 to 850 feet from Hershey Mill Road so the creation of a flag lot which is often used would also require the same variance. In addition, creating that flag lot would now separate the active agricultural area with another portion of the tract that would be to the east and up against the high density residential area. The existing mature trees provide the transition from high density residential to active agricultural use.

Item #2 – There is no possibility to subdivide the subject property in strict conformity with the provisions stated in Section 201.4.2.A. The 64.34 acre property owned by the applicant requires to subdivide the residence from the overall property in a manner to respect the existing land uses that have been in existence for more than 63 years. Mr. Smeigh had a property survey from 1977 completed by Earl Bauder. At one time this subject property was actually made up of three tracts of land that consisted of 14.47 acres, 29.9 acres and the residential area was 15 acres. Mr. Smeigh stated prior ownership there were prior tracts, prior lots established all owned by Mr. Herr and combined into one deed. Mr. Smeigh referred to Exhibit #1B noting a ghosted tract line.

Item #3 – The current land owner did not create the hardship by establishing the location of the residential structures on the property, thereby, dividing the land manner by default that discourages the continuous use of the land in agricultural fashion. While he did not create the subject to the current regulations established by the local State and Federal Governments with respect to the existing uses on the subject property the proposed lot configuration shown in Applicants Exhibit #1A and #1B provide for the continuation of a low impact use preserves both the open space nature of the existing area of the residential use and the productive use of the existing agricultural portion of the land.

Item #4 – The variance, if granted, will not alter the essential character of the neighborhood as no physical changes are being proposed. The existing uses will remain and subdivision will occur along the physical boundary that identifies the two uses that exist on the property. Storm water collected in agricultural portion of the tract, which is evident on Applicant's Exhibit #1B, is collected and drained towards Lot 1. The stabilized landscape in Lot 1 in effect reduces some of the peak run off volume from the agriculture land provides for better storm water quality before any of the storm water leaves the Herr property going to the adjoin property. The subdivision will not adversely affect or take away from any other adjoining land uses nor would it be detrimental to the public health and welfare. It provides a very low density residential transition from the high density residential zoning to the active agricultural zoning and provides for a certain amount of storm water management and water quality. A variance, if granted, represents the minimum variance necessary to afford the relief, represents the least modification possible of the regulation so as not to disturb either of the existing uses on the property, maintain the existing access drives and not alter the conservation plan for the agricultural area, and maintains the harmony of the local area by allowing existing features and land uses to remain in

their current state. No portion of subject property is located within the floodplain zone. The owner does acknowledge that the Zoning Hearing Board may impose reasonable conditions with respect to granting the variance. The owner also acknowledges that if the variance is granted for the maximum lot size a final subdivision plan would be required to affect the decision of the Zoning Board within six months after a favorable decision and same would be subject to approval by Manor Township.

Mr. Peris referred to Item #4 asking if an issue would be created in the future if those properties were owned by separate individuals with the agricultural property draining into the newly created lot considering the pond is a drainage source for the agricultural land. The drainage is how it has occurred for years. The conservation plan is predicated upon the existing topography. Mr. Smeigh does not see a problem but looking ahead the Zoning Officer or Township Engineer may ask for a storm drainage easement to be created through Lot 1 to preserve the integrity of the transfer. Mr. Herr stated no run off goes into the pond except in extreme cases when things overflow the berms.

Mr. Julian stated the explanation of Item #4 makes it seem to him states a case more for keeping the tract together versus separating because it offers a buffer to the areas around it. Mr. Smeigh stated he was trying to demonstrate the buffer between the high density residential and active agricultural uses including proposed Lot 2 as well as the land to the south of the subject property is a buffer because of the tall residential trees. With that not being there, a field is right in their backyard. Mr. Smeigh stated subdividing allows the uses to maintain the integrity but allows it to last longer. Having it all together is sort of an erroneous thing to have. Mr. Smeigh stated if these are separated it allows for separate ownership. Mr. Smeigh stated the Herr's do not have issues with the restrictions it is just to be able to create the area around the use is what they would like to preserve. Mr. Julian asked if the farm is preserved in any capacity. Mr. Herr advised there are no easements Mr. Herr gave some background information indicating the restoration work his family performed on the structures. Mr. Herr stated they are looking ahead to when they are gone the farm itself stays in farming the house and surrounding area can go to someone who can continue to maintain the structures. Mr. Julian restated that their hope is that by separating out the parcel containing the farm house and out buildings somewhere down the line they will be able to sell it more easily to someone who would be like minded in their endeavor to preserve the homestead. The farm land can be used as farm land and sold to someone who would use in that capacity.

Mr. McManus asked the numbers and kinds of buildings be defined on the proposed 17.84 acre tract. Mr. Smeigh pointed out the location of the structures and the type of structure. Mr. McManus stated including the dwelling there are six buildings in this complex. There is also a pond that appears to be 1-2 acres. Mr. Herr advised about 2 acres. The 17.84 parcel represents a use of this property that has for a considerable amount of time not been in traditional agricultural use and Mr. Smeigh stated correct. Mr. McManus asked if it is their testimony that the 17.84 acre tract in any other configuration would not be practicable for traditional agricultural use as provided for in the Zoning Ordinance and Mr. Smeigh stated correct. Mr. McManus asked if it is their understanding that if the Board were to grant the dimensional variance relief they would have to also apply to the Township and submit a subdivision plan and Mr. Smeigh stated correct. Mr. McManus ask if it is their understanding that at that time provisions for runoff and storm water control if applicable would be reviewed and required and Mr. Smeigh stated correct. Mr. McManus asked if it is their understanding that based upon the

present Zoning Ordinance that Lot 2 could be developed as an additional residential lot of not more than two acres and Mr. Smeigh stated yes.

Mr. Singer stated the Board members will review the testimony, give their opinions to the Solicitor who will provide a draft decision that will be discussed at the next meeting and a decision rendered at the January 6, 2016 meeting.

The hearing was adjourned at 8:40 p.m.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Minutes

Tuesday, December 29, 2015

Time: 8:00 A.M.

Chairman Bradley Singer called the meeting to order on December 29, 2015 at 8:00 a.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Singer introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Chris Peris and Mike Julian
Township officials Present: Nick Ebersole and James R. McManus III
Visitors: Todd E. Smeigh, D.C. Gohn Associates, Inc.
Frantz and Patricia Herr
Dave Milisock

Minutes – Mr. Herr noted corrections to the minutes indicating a statement made should indicate “no easement on the property” and a correction regarding the date of the structure should read “1700’s property”. Mr. Peris made a motion to approve the December 2, 2015 minutes as corrected. Mr. Julian seconded the motion and the motion carried unanimously.

Old Business

Case # 4-15 - The application of Interiors Home, property located at 3130 Columbia Avenue, Lancaster, PA 17603, Account # 4106522900000 for a variance of Section 315 Table 1 Maximum Permitted Area for Permanent Signs, in accordance with Section 605.4 - Variances. The Applicant would like to exceed the maximum permitted area for permanent signs. The property is zoned General Commercial (GC). Testimony is closed and a decision will be

rendered. Mr. Singer stated they were provided with a draft decision prepared by Mr. McManus. The members of the Board provide their opinions to Mr. McManus after which he drafts the decision before them this evening. There was no discussion on the draft decision.

Mr. McManus stated the draft decision states the variances to provisions of Section 315, Signs, and the Table contained within that section to permit the erection of a free standing business identification sign containing 96 square feet of signage area and a total of 291.82 square feet of signage area on the Property located at 3130 Columbia Avenue, Lancaster, would be granted in accordance with this decision subject to the applicants compliance and adherence to its plans and exhibits presented at the hearing held on December 2, 2015 and also the compliance of all applicable governmental rules, ordinances and regulations regarding the construction, use and square footage limitations applicable to the signage requirements. It notes that any violations of these conditions would be a violation of the Zoning Ordinance subject to the penalties and remedies of the Pennsylvania Municipalities Planning Code. That is the substance of the Decision before the Board as prepared. Mr. Julian made a motion to accept the Decision as written. Mr. Peris seconded the motion and the motion carried 2 to 1 with Mr. Peris voting no.

Case # 5-15 - The application of William Frantz Herr and Patricia H. Herr, property located at 746 Hershey Mill Road, Mountville, PA 17554, Account # 4102859300000 for a variance of Section 201.4.2.A Lot Area Requirements, in accordance with Section 605.4 - Variances. The Applicant would like to exceed the maximum lot size of two acres. The property is zoned Agriculture (A). Testimony is closed and a decision will be rendered. Mr. Singer stated the Board Members provided Mr. McManus with their opinion after which Mr. McManus drafted a Decision that is before the Board.

Mr. Julian read the Decision stating a variance to the provisions of Section A variance to the provisions of Section 201.4.2.A. of the Zoning Ordinance to allow the subdivision of a 64.34 acre tract of land located at 746 Hershey Mill Road (T-601), Mountville, Pennsylvania, Account No. 410-90341-0-0000 into two parcels containing 17.84 acres and 46.5 acres respectively is granted 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 by the Applicants or on their behalf at the hearing held on December 2, 2015. 2) The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the uses on the proposed parcels. Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code.

Mr. Peris made a motion to approve the Decision. Mr. Julian seconded the motion and the motion carried unanimously.

There being no further business on motion by Mr. Julian and seconded by Mr. Peris the meeting was adjourned at 8:25 a.m. Mr. Singer advised the next meeting will be Wednesday, January 6, 2016 at 8:00 a.m. in this building.

Respectfully submitted,

Mike Julian
Secretary

Recording Secretary
Evelyn Rineer

Traffic Commission Meeting Minutes

Traffic Commission Minutes

Wednesday, January 28, 2015

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, January 28, 2015 at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris and Chief Graeff
Member Absent: Brandon Clark

Re-organization

Chief Graeff made a motion to retain the same slate of Officers for 2015, Chairman is Mark Harris, Vice Chairman is Brandon Clark and Secretary is Chief Todd Graeff. Mr. Harris second the motion and the motion carried unanimously.

Old Business

Chief Graeff advised they have the traffic speed study for north and southbound S. Centerville Road. The study was conducted from November 7th to the end of January. Chief Graeff stated the average speed was 39.75 mph. Chief Graeff advised that he would notify Sue Sheeler of their findings.

There being no further business Chief Graeff made a motion to adjourn the meeting. Mr. Harris second the motion and the meeting was adjourned at 8:35 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Traffic Commission Minutes

Wednesday, December 30, 2015

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, December 30, 2015 at 8:30 a.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris called the meeting to order and led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Brandon Clark and Todd Graeff

New Business

Handicap Parking Request at 111 Bradford Street – There was discussion pertaining to the handicap parking space request. The Commission had questions as to whether there was a parking area on the property. Mr. Harris will contact the individual and report back to the Commission at their meeting in January.

Speed Limit on Oak and Observation Road – Mr. Harris stated he met with Ken Greider who expressed concern with the added traffic on the road and requested a speed limit for the road. Mr. Harris stated he did a traffic survey on Observation Road which indicated 85 percentile traveled 26 mph. The request was for a 25 mph speed limit. Chief Graeff expressed concern with the reduction to 25 mph from 55 mph. Officer Gardner will study the data provided by Mr. Harris and provide the Commission with his recommendations at the January meeting.

Alex Groff requested signage for the intersection of Manor Ridge Drive and Hawthorne Drive that would inform drivers that opposing traffic does not stop by posting signs on the stop sign posts on the Manor Ridge Drive side of the intersection. Chief Graeff provided accident data for the past several years at this intersection indicating in 2012 no accidents; 2013 was 1 reportable and 1 non reportable; 2014 was 1 reportable and 1 non reportable and in 2015 there were 2 reportable. The Commission felt that with the data provided there was no signage warranted for this intersection. Mr. Harris will contact Mr. Groff and advise him of the Traffic Commission's decision.

There being no further business the meeting was adjourned at 8:48 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Parks & Recreation Meeting Minutes

Park & Recreation Board Minutes

Monday, January 26, 2015

Time: 7:00 P.M.

The Manor Township Park & Recreation Board met on Monday, January 26, 2015 at 7:00 p.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA. Chairman Edward Rand led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Edward Rand, Maria Cattell, Karla Vinson, Maher Hattar

Members Absent: Elizabeth Leaman, Kyle Ream and Courtney Barry

Minutes

Ms. Vinson made a motion to approve the October 27, 2014 minutes. Ms. Cattell seconded the motion and the motion carried unanimously.

Re-organization

Chairman – Ms. Vinson nominated Edward Rand as Chairman. Ms. Cattell seconded the nomination and the nomination carried unanimously.

Vice Chairman – Ms. Cattell nominated Courtney Barry as Vice Chairman. Mr. Hattar seconded the nomination and the nomination carried unanimously.

Secretary – Mr. Hattar nominated Elizabeth Leaman as Secretary. Ms. Vinson seconded the nomination and the nomination carried unanimously.

Old Business

Mr. Harris stated at the October meeting they spoke about the macadam volleyball court located at Charlestown Park. Mr. Harris had asked the Board if they would consider ideas for that location. Mr. Harris advised they had discussion pertaining to a small unrented pavilion and a ball pit. Mr. Harris advised he is looking for feedback as the Township does have funds budgeted to make improvements. Mr. Rand asked Mr. Harris what if any feedback he has received from individuals using the park. Mr. Harris advised he has talked to the Staff who handle the pavilion rentals and has found that Charlestown Park is the highest used park. It is quite frequent on any given weekend that all three pavilions are rented. One thought was to have a smaller pavilion in Charlestown Park that was not for rent that would be available throughout the day to allow a family to come there with their picnic basket. Mr. Harris advised another enhancement is the Frisbee Golf Course which at this time are just timbers. There are actually cages that can be installed. Mr. Harris advised the Course is not heavily used, but if there was the official net and more promotion of the course there may be more use of the course. Mr. Rand asked if it was possible to build the pavilion and put cages in for the Frisbee Golf Course. Mr. Harris advised it would be possible to do both projects. Ms. Cattell was in favor of the non-rented pavilion. The Board was in agreement to build a small non-rented pavilion and install the cages for the Frisbee Golf.

New Business

Mr. Harris gave up dates on projects that are being worked on. Mr. Harris referred to the trestle bridge that joins Manor Township and Conestoga Township that is part of the Rail Trail Corridor. Mr. Harris advised that this winter the Public Works Department has been clearing and cleaning under the girders of the bridge. The Township has budgeted money for rehabilitation on the super structure that is everything under the deck of the bridge. Mr. Harris talked about the vision the Supervisors have for the bridge moving it from an idea to being a usable piece. Mr. Harris stated the Supervisors committed to investing \$200,000 in completing repairs that need to occur underneath. Mr. Harris stated the DCNR uses the Rail Trail in Manor Township as a model as they talk to people explaining how Manor Township did so much of the work and saved money. Mr. Rand stated he understood they would only be putting decking on half of the width of the bridge. Mr. Harris stated that has been talked about. Mr. Harris explained that they can do all the decking or half of the decking because of the beams. Mr. Harris stated they feel best use of the money would be to do half of the width until a future time when possibly more funds would be available. Ms. Cattell talked about an elevated line in New York City that has been used for a demonstration of native plants. Mr. Rand stated Manor Township has the trestle bridge plus 900 feet and asked if Conestoga Township is in the same process as Manor Township in developing their end. Mr. Harris talked about what is occurring and what Conestoga Township may be considering doing to their section of the trail. Mr. Rand had questions on the proposed deck of the trestle bridge and the time frame for the work on the bridge. Mr. Harris stated that they have put rock climbing signs up on the Rail Trail. There are three areas designated between mile 2.5 and mile 4 for rock climbing.

Mr. Harris advised in conversation with Staff there has been discussion regarding six and one-half acres that was purchased by Blue Rock Fire Rescue on Rt. 999 in that would be a nice parcel for the Township to acquire. There is serious conversation regarding the Township acquiring that 6.5 acres. It would be valuable in that behind Springdale Farms along the Little Conestoga Creek the Township owns 29.5 acres that follows the creek. There is no way for the general public to access that property. The 6.5 acres connects with the 29 acres, therefore, the Township is looking to acquire that property, put a foot bridge over the Little Conestoga and make a trail that follows the Little Conestoga behind the Springdale Farm Development.

Ms. Vinson asked about the Turkey Hill Run. Mr. Harris advised that has not been discussed in any detail to date.

There being no further business Ms. Cattell made a motion to adjourn the meeting. Mr. Hattar seconded the motion and the motion carried unanimously. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Elizabeth Leaman
Secretary

Recording Secretary
Evelyn Rineer

