

# EPHRATA TOWNSHIP SUPERVISORS' MEETING

**June 1, 2021**

The Ephrata Township Supervisors met this date at 7:00 p.m. at the Ephrata Township Office Building, 265 Akron Road, Ephrata, Pennsylvania. The meeting was conducted in person and virtually utilizing Microsoft Teams.

Present were:

- Supervisor Clark Stauffer
- Supervisor Tyler Zerbe
- Supervisor Tony Haws
- Township Manager Steve Sawyer
- Township Solicitor Tony Schimaneck
- Township Engineer Kara Kalupson

The meeting was called to order by Chairman Clark Stauffer followed by the Pledge of Allegiance to the Flag.

## PUBLIC COMMENT PERIOD

A motion to close the public comment period was made by Ty Zerbe. The motion was seconded by Tony Haws and carried unanimously.

## APPROVAL OF MINUTES

A motion was made by Tony Haws to dispense with the reading of the May 18, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

## SIGNATURE CUSTOM CABINETRY – REVISED FINAL PLAN

Kevin Varner from Diehm and Sons presented the plan to the Supervisors. Signature Custom Cabinetry is proposing an 8,840 square foot two story building addition to be used as office space. The plan will also combine two tracts of land (430 Springville Road – 1.7 AC and 434 Springville Road – 7.4 AC) into one tract. The existing office building located on the 430 Springville Road property will be converted from office space to a maintenance and storage building.

A review letter from Rettew Associates dated May 12, 2021 for the plan was provided to the Board of Supervisors for their review prior to the meeting. The plan was also reviewed by the ETPC and the LCPC and their comments and recommendations were submitted to the Board of Supervisors prior to the meeting.

A motion was made by Ty Zerbe to approve a waiver to Section 406 – Traffic Evaluation Study based on the justification provided and the condition that the applicant provide a

copy of the required PennDOT Highway Occupancy Permits (HOPs) for the driveways. The motion was seconded by Tony Haws and carried unanimously.

A motion as made by Tony Haws to disapprove a waiver to Sections 602.A.7, 603.B and 603.C – Reconstruction of Existing Streets Including Curb and Sidewalks but to allow the applicant to defer the improvements until such times as the Township, at its sole discretion, determines that the improvements are necessary in the area. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to Section 602.E.5 – Minimum Radii at Access Drive based on the justification provided and the conditions that the applicant provide “NO TRUCK” signage at the western access drive to deter trucks from using this driveway as described above and that the applicant provide truck signage directing truck traffic to the eastern driveway, including but not necessarily limited to “TRUCK ENTRANCE” signage at the eastern driveway. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 602.E.7 – 100' Clear Sight Triangle at Access Drive based on the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver Section 602.G – Minimum Street Right-of-Way, based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 604.D.3 – Lot Depth to Width Ratio, based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to disapprove a waiver to Section 609.B – Industrial Landscaping but to allow the applicant to defer the installation of a planted visual barrier until such times as the Township, at its sole discretion, determines that the planted visual barrier is necessary in the area. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the plan based on the conditions contained in the Township Engineer's letter dated May 12, 2021. The motion was seconded by Ty Zerbe and carried unanimously.

## STAFF REPORTS

### Manager Steve Sawyer

- **446 North Reading Road – Financial Security Reduction.** Rettew Associates performed a site observation and reviewed the documentation provided for financial security reduction No. 1 for the 446 North Reading Road site work. The developer is requesting the release of the remaining financial security in the amount of \$149,800.00. The Board was provided with a letter from Rettew Associates dated May 28, 2021.

A motion as made by Ty Zerbe authorize a reduction of the financial security for this development by \$103,086.00, which will leave a new outstanding financial security balance of \$46,714. The motion was seconded by Tony Haws and carried unanimously.

- **Carpenter Road.** Manager Sawyer notified the Board that PennDOT has changed the start date for the Lincoln Road bridge replacement project from June 7, 2021 to June 24, 2021. The Board previously authorized the temporary closure of Carpenter Road on June 4, 2021. Manager Sawyer recommended this date be changed to June 21, 2021.

A motion was made by Tony Haws to authorized the temporary closure of Carpenter Road on a date that is three days prior to the PennDOT closure of Lincoln Road for their bridge replacement project. The motion was seconded by Ty Zerbe and carried unanimously.

- **July Meeting Date.** Manager Sawyer informed the Board that several staff members will be on vacation on July 6<sup>th</sup> which is the regular meeting date of the Board of Supervisors.

A motion was made by Ty Zerbe to cancel the July 6, 2021 Board of Supervisors meeting and reschedule it to Tuesday, July 13, 2021 at 7:00 P.M. The motion was seconded by Tony Haws and carried unanimously.

- **Communication Tower / Antenna Ordinance.** Manager Sawyer informed the Board that the Lancaster County Planning Commission and the Ephrata Township Planning Commission have reviewed the proposed ordinance and have recommended approval. The next step is for the Board to schedule and advertise a Public Hearing for the Zoning Ordinance amendment.

A motion was made by Tony Haws to authorize staff to advertise the Zoning Ordinance Amendment Public Hearing for Tuesday July 13, 2021 at 7:00 P.M. The motion was seconded by Ty Zerbe and carried unanimously.

- **Lancaster County Redevelopment Authority.** The Board was given a copy of an email from Justin Eby, Deputy Executive Director of the Lancaster County Housing and Redevelopment Authority. The County Redevelopment Authority is the Grantee for the State funding for the Ephrata Crossings Project, on behalf of the developer, Property Investing and Management, Inc. Per an agreement with the State, the Redevelopment Authority has to enter into an agreement with the host community, in this case Ephrata Township, for purposes of protecting the State's funding in the project. The project received \$500,000 for reimbursement of the sitework including sewer and storm water as well as other excavating that supports the mixed-use development for lots 2-6. In order to satisfy the State's requirements, an agreement between the Redevelopment Authority and Ephrata Township must be executed prior to the release of the funding for the project. Manager Sawyer forwarded the correspondence to Solicitor Schimaneck who reviewed the Cooperation Agreement and issued a letter dated May 26, 2021. Solicitor Schimaneck reviewed his letter with the Board explaining several issues with the proposed agreement.

A motion was made by Ty Zerbe directing Manager Sawyer to contact Rick Stauffer to get written confirmation from Mr. Stauffer that he will reimburse the Township's legal fees for the Township Solicitor to contact the Redevelopment Authority concerning the proposed agreement. The motion was seconded by Tony Haws and carried unanimously.

**Solicitor Tony Schimaneck**

Tony Schimaneck stated that he has not received a response to his letter to the truck driver that damaged the Mohler Church Road bridge. Attorney Schimaneck has prepared a lawsuit to be filed at District Magistrate Russell's office in Ephrata. After review by Township staff the lawsuit will be filed at the Magistrate's Office.

**Engineer Kara Kalupson** reported that we are still waiting for approval of the DEP permits required for the Autumn Hills PRP project. We are hoping to receive DEP approval in the near future. After DEP approval is received, the bidding specification can be prepared and bids advertised for the project.

**APPROVAL OF BILLS**

A motion was made by Ty Zerbe to accept the list of checks written and to pay any bills pending. The motion was seconded by Tony Haws and carried unanimously.

**CORRESPONDENCE**

Tony Haws stated that there was no additional correspondence at this time.

A motion was made by Tony Haws to adjourn the meeting at 8:05 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

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Clark R. Stauffer

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Anthony K. Haws

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J. Tyler Zerbe