

EPHRATA TOWNSHIP SUPERVISORS MEETING

November 7, 2023

The Ephrata Township Supervisors met this date at 7:00 p.m. at the Ephrata Township Office Building, 265 Akron Road, Ephrata, Pennsylvania.

Present were Supervisors:	Clark Stauffer
	Tony Haws
	Ty Zerbe
Manager:	Steve Sawyer
Township Engineer:	Melissa Kelly
Solicitor:	Anthony Schimanek
Admin. Assist.	Jennifer Carvell

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

PUBLIC COMMENTS NON-AGENDA ITEMS

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 October 17, 2023 Supervisors' Minutes and to approve them as presented. The motion was seconded by Clark Stauffer and carried unanimously.

501 ALENXANDER DRIVE – PRELIMINARY / FINAL LAND DEVELOPMENT PLAN

Property owner Scott Cover was present to present the plan. The property contains an existing 54,000 SF building used as a warehouse and Mr. Cover is proposing to remove 2,500 SF of the existing building area and construct approximately 46,700 SF of building additions to be used as additional warehouse space and storage. A variance for a reduction in parking space requirements was granted by the Ephrata Township Zoning Hearing Board at their July 18, 2023 hearing. The Board of Supervisors were provided with a letter from ELA Group dated January 31, 2023 and a Rettew Associates review letter dated September 22, 2023. The Ephrata Township Planning Commission and the Lancaster County Planning Commission reviewed the plan and their recommendations and comments were also provided to the Board of Supervisors for their review prior to the meeting. Scott Cover stated that all of the comments in the Rettew Associates will be addressed.

A motion was made by Ty Zerbe to approve a modification request to Section 305 – Preliminary Plan Processing Procedures based on the justification that was provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a modification request to Section 402.C.3 – Existing Features based on the justification that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a modification to Section 406 – Traffic Evaluation Study based on the justification provided and with the condition that the applicant provide a contribution in lieu of the preparation of the traffic study in an amount satisfactory to the Township as he has offered as an alternative. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to deny the modification to Sections 602.A.7, 603.B and 603.C – Reconstruction of Existing Streets Including Curb and Sidewalks, but allow the applicant to defer the reconstruction of Alexander Drive and the installation of curbing and sidewalks 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 Tony Haws to approve a modification to Section 602.E.5 – Street Intersections based on the justification that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve a modification to Section 602.E.7 – Clear Site Triangle based on the justification that was provided and on the condition that the applicant provide the largest clear sight triangle possible at both access drives. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a modification to Section 603.C.1 – Curbs in parking compounds, based on the justification that was provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a modification to Section 606.E – Easements based on the justification and the alternative of a 20 foot-wide easement be provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a modification to Section 609.B.3 – Landscaping based on the justification that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a modification to SWM Section 409.1.B.3.a – Design Standards-Volume Control Section 305 – Preliminary Plan Processing Procedures based upon the alternative and the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Preliminary / Final Land Development Plan for 501 Alexander Drive subject to the conditions contained in the Township Engineer's letter dated September 22, 2023. The motion was seconded Ty Zerbe and carried unanimously.

21 EAST MOHLER CHURCH ROAD – LOT ADD-ON PLAN

Ron Hershey from Hershey Surveying was present to represent the plan on behalf of Mohler Church of the Brethren. The Board of Supervisors were provided with a letter from Hershey Surveying dated September 26, 2023 and Rettew Associates Review Letter dated September 25, 2023 along with the Ephrata Township Planning Commission's recommendations for their review prior to the meeting. Mohler Church of the Brethren is proposing to add 0.655 acres to their existing 5.777 acre lot located at 21 E. Mohler Church Road. Resultant Lot 1 will be 6.432 acres and Resultant Lot 2 will be 0.390 acres. There are two (2) waiver requests.

A motion was made by Ty Zerbe to approve a waiver to Section 404.C and 402.C.3 – Existing Features based on the justification that was provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Sections 602.A.7, 603.B and 603.C – Reconstruction of Existing Streets Including Curb and Sidewalks of East Mohler Church Road based on the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the 21 East Mohler Church Road Final Lot Add-On Plan based on the conditions contained in the Township Engineer's letter dated September 25, 2023. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **223 East Fulton Street – Waiver of Plan Processing.** Josh Boulton of Pioneer Management was in attendance on behalf of the developer of 223 East Fulton Street. Josh stated that a Waiver of Land Development Plan Processing is being requested for the project because all of the improvements will be located in Ephrata Borough. A plot plan of the property was presented to the Board of Supervisors showing the municipal lines for 3 tracts that are currently on one deed. The Developer is proposing to build two (2) two-unit dwelling units on the 2 parcels located in Ephrata Borough which is a permitted use under the Borough zoning ordinance. The portion of the property in the Township will not be developed and used as green space for the project. Staff recommended approval of the Waiver request.

A motion was made by Tony Haws to approve the Waiver request of Land Development Plan Processing and to defer plan processing to Ephrata Borough. Plan Processing. The motion was seconded by Ty Zerbe and carried unanimously.

- **Resolution – 2025 – 2029 Ephrata Police Department Contract.** Manager Sawyer stated that a Resolution for the 2025-2029 Ephrata Police Department Contract has been prepared and reviewed by staff. The Resolution is now an approved method to enter into an inter-government contract for police service instead of an Ordinance. Ephrata Borough will be approving the Resolution at their next meeting and delivering the formal contract for execution following that meeting. Staff is recommending approving the Resolution as presented.

A motion was made by Ty Zerbe to approve the Resolution Approving an Intergovernmental Cooperation Agreement Authorizing the Borough of Ephrata through its Police Department to Perform Law Enforcement Functions within Ephrata Township, County of Lancaster, Commonwealth of Pennsylvania as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Martin Energy – DEP Planning Module Exemption.** Manager Sawyer notified the Board of Supervisors that Martin's Energy is requesting the Township approve a DEP Planning Module Exemption for their project. Manager Sawyer recommended approval of the DEP Planning Module Exemption as presented.

A motion was made by Tony Haws to approve the execution of the DEP Planning Module Exemption as presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **Comcast – Charity Gardens Submission.** Manager Sawyer notified the Board of Supervisors that Comcast has submitted plans and Highway Occupancy Permits for two (2) Township roads located in Charity Gardens. The remaining work being requested within the development is located in Clay Township. The plans have been forwarded to Rettew Associates for review prior to Township approval. Staff also stated that there are concerns regarding the timing of the underground work being completed during the winter months due to restoration of roads, sidewalks, driveways and lawns that could become necessary. In addition, past projects that were done over the winter also created issues with snow removal due to equipment being parked on the streets.
- **LCATS Meeting – Monday, November 13, 2023.** Manager Sawyer reminded the Board of Supervisors of the LCATS meeting to be held at Yoder's Restaurant in New Holland, Monday, November 13, 2023.

Township Engineer – Melissa Kelly

Melissa Kelly provided a list of plans/projects that Rettew Associates is currently working on:

Autumn Hills Cocalico Creek Project - Grant funds in process

Solicitor – Tony Schimaneck

Attorney Schimaneck stated that he sent a letter to the insurance company that denied the claim for the damage that occurred at the Akron Road Bridge by a tractor trailer driver delivering to a neighboring farm. The insurance company has responded requesting more information of the incident and stated that the claim is being further reviewed.

APPROVAL OF BILLS

A motion was made by Ty Zerbe to accept the list of checks as 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 that has not already been discussed.

A motion was made by Tony Haws to adjourn the meeting at 7:48 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

J. Tyler Zerbe

Anthony Haws