

# EPHRATA TOWNSHIP SUPERVISORS' MEETING

**October 5, 2021**

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:                   Supervisor Clark Stauffer  
  Supervisor Tyler Zerbe  
  Supervisor Tony Haws  
  Township Manager Steve Sawyer  
  Township Solicitor Tony Schimaneck  
  Township Engineer Jim Caldwell  
Virtually:                       Admin. Assistant Jennifer Carvell

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 September 21, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

## GARDEN SPOT AUTO AUCTION LOT ADD-ON AND SWM PLAN

Dave Bitner of RGS Associates presented the plan to the Board of Supervisors. The proposed lot add-on will combine two lots owned by the Auction into one parcel. The project includes removing and replacing a storage building, closing an existing driveway and reconstructing an existing driveway. PennDOT approval is required to reconstruct the driveway. At the September 7, 2021 meeting, Traffic Planning and Design was present to discuss the PennDOT issue on behalf of Garden Spot Auto Auction and requested that the Township provide a letter of support to PennDOT as part of the next HOP submission package acknowledging that the improvements proposed with this project will help with the existing drainage issue in this area while not fully meeting the PennDOT standards. After discussion, the Board of Supervisors tabled action on their request until the Township receives the pre-post development storm water analysis for the Garden Spot Auto Auction project. Dave Bitner stated that Garden Spot Auto Auction has decided to amend the plan by eliminating the proposed improvements to the access drives

on the PennDOT road. By eliminating the proposed changes to the access drives, PennDOT approval will not be required for the project.

The Ephrata Township Planning Commission and Lancaster County Planning Commission recommendations along with Rettew Associates Review Letter dated September 15, 2021 was provided to the Board of Supervisors for their review prior to the meeting.

A motion was made by Ty Zerbe to approve the Waiver request for Section 306 – Land Development Plan Processing based on the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Waiver request for Section 402.A1 – Plan Scale 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 deny the Waiver request for Sections 602.A.7, 603.B, 603.C and 609.E – Reconstruction of Existing Streets Including Curbing, Sidewalks, and Street Trees but to allow the applicant to defer the reconstruction of Lincoln Gardens Road (SR-1024)/Apple Street and the installation of sidewalks, curbing and street trees until such times as the Township or PennDOT, at their sole discretion, determines that the improvements are necessary in the area and to disapprove a waiver as it relates to the requirement to provide curbing along the relocated access drive. The motion was seconded by Tony Haws and carried unanimously.

The applicant officially withdrew the Waiver request to Section 602.E.7 – Clear Sight Triangle.

A motion was made by Tony Haws to deny the Waiver request for Section 602.G.1.c – Street Right-of-Way Width but to allow the applicant to defer the dedication of additional right-of-way along Lincoln Gardens Road (SR-1024) until such times as the Township or PennDOT, at their sole discretion, determines that the additional right-of-way is necessary in the area. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to conditionally approve the Lot Add-On Plan and SWM Plan for Garden Spot Auto Auction based upon the applicant addressing the comments in the Rettew Associates Letter dated September 15, 2021. The motion was seconded by Tony Haws and carried unanimously.

TOMMY'S EXPRESS CAR WASH – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

Craig Smith from RGS Associates was in attendance to present the plan. The property is currently A&J Auto Sales and consists of three separate parcels. The plan will consolidate the lots and create two 1.5-acre parcels. A Tommy's Express Car Wash is

proposed on the eastern tract and a Mavis Tire Store is proposed for the western tract. Both tracts will be accessed by a full movement access from the private street to the east of the site and a right in – right out only access on East Main Street. PennDOT is currently reviewing a Highway Occupancy Permit for the access onto East Main Street. The proposed storm water management will be a stone infiltration bed and also a detention basin. The project has received Zoning Hearing Board approval for the location of the proposed car wash building within the 100-foot front yard setback. Ephrata Township Sewer Authority and Ephrata Area Joint Water Authority have approved the water and sewer capacity requests. The Board of Supervisors were provided with the Ephrata Township Planning Commission and Lancaster County Planning Commission's recommendations in addition to Rettew Associates Review Letter dated September 20, 2021 for their review prior to the meeting.

A motion was made by Ty Zerbe to approve a waiver request to Section 305 – Preliminary Plan Processing Procedures based on the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request to Section 402.C.3 – Existing Features Within 200' based upon the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to deny a waiver to Section 602.A.7 – Reconstruction of Existing Streets but to allow the applicant to defer these improvements until such times as the Township, at their sole discretion, determine that the improvements are necessary in the area. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request to Section 602.E.7 – Clear Sight Triangles based upon the justification provided subject to the condition that stop signs be installed at the access drive intersections and the intersection with East Main Street (SR 0322) be a right-in/right-out intersection. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to Section 609.B – Commercial Landscaping 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 SWMO Section 409.1.B.3.b – Loading Ratios 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 approve the Final Lot Consolidation and Land Development Plan for Tommy's Express Car Wash conditional upon Rettew Associates

Review Letter dated September 20, 2021. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Budget Work Session – 10/19/21.** Manager Sawyer provided the Board of Supervisors with a draft of the 2022 Budget for the General Fund, Liquid Fuels Fund and the Capital Reserves Fund for their review prior to the next meeting. The Budget Work Session is scheduled as part of the October 19, 2021 morning Supervisors Meeting.
- **Salt Storage Building – Fire Repairs.** Manager Sawyer notified the Board of Supervisors that the repairs to the salt storage building caused by the July 4<sup>th</sup> fire have been completed by LL Groff and Sons.
- **2000 Ford F-550 Dump Truck.** Manager Sawyer notified that Board of Supervisors that the new 2021 Dump Truck that was ordered in early 2021 is scheduled to be delivered in October. This dump truck is to replace the 2000 Ford F-550 Dump Truck currently owned by the Township. Manager Sawyer requested authorization to advertise the sale of the 2000 Ford F-550 Dump Truck.

A motion was made by Tony Haws authorizing staff to advertise the sale of the 2000 Ford F-550 Dump Truck as recommended. The motion was seconded by Ty Zerbe and carried unanimously.

- **Authorization to Advertise – Maintenance Department Employee.** Manager Sawyer notified the Board of Supervisors that there is a possibility that there will be a vacancy in the Maintenance Department in the near future and requested authorization to advertise for a replacement.

A motion was made by Ty Zerbe authorizing staff to advertise for a full-time Road Crew/Maintenance Department Position. The motion was seconded by Tony Haws and carried unanimously.

**Engineer Jim Caldwell** reported that the following are in the review process:

- MPDS Permit Approval – Autumn Hills Project
- Goods Store – Land Development Plan
- Tommy's Carwash Land Development Plan
- Ephrata Crossing – Phase 4
- 240 North Reading Road – SWM Plan
- BriLyn Acres – Brian Sauder – Agricultural SWM Plan
- Garden Spot Auto Action – SWM Plan
- Glenwood Foods – Site Inspections
- Conestoga Mennonite Church - FSR

**Solicitor Tony Schimaneck**

Tony Schimaneck reported that an Ordinance regarding Small Wireless Facilities has been prepared by his office and has been advertised for action by the Board at their next meeting on October 19, 2021. In addition, his office has prepared the King Echo

Housing Agreement, a Bond for the UGI project, and the Good's Store Agreements as authorized.

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 he did not have any additional correspondence to report that was not already discussed.

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