

## EPHRATA TOWNSHIP SUPERVISORS' MEETING

September 6, 2022

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  
Ty Zerbe  
Anthony Zerbe  
Manager: Steve Sawyer  
Engineer: Jim Caldwell  
Solicitor: Tony Schimaneck

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 was made by Ty Zerbe to close the Public Comment Period. 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 August 16, 2022 Supervisors' minutes and to approve the minutes as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### 471 NORTH READING ROAD – REVISED FINAL PLAN

Property owner Scott Cover was present to discuss the proposed earth disturbance project with the Board. The Board tabled action on the Earth Disturbance Permit at the last meeting and requested that Mr. Cover provide a schedule for the completion of the 515 North Reading Road project and the 471 North Reading Road projects. Mr. Cover provided a schedule for the two projects. A Minor Land Disturbance / Storm Water Management Plan is being proposed for grading in connection with the proposed building demolition. An Erosion and Sediment Pollution Control Plan dated March 25, 2022 and revised July 1, 2022 has been approved by the Lancaster County Conservation District. Mr. Cover stated that all of the fill currently being stored on the site will be used in the grading project associated with the building demolition. He also agreed to a time frame that the grading project will be completed within six months.

A motion was made by Ty Zerbe to approve the 471 North Reading Road Earth Disturbance Permit based on the condition that the entire existing fill pile is used in the project and that the project shall be completed within six months. The motion was seconded by Tony Haws and carried unanimously.

515 NORTH READING ROAD – EARTH DISTURBANCE PERMIT

Property owner Scott Cover presented the plan to the Board. Mr. Cover is proposing to construct an approximate 5,000 SF addition to an existing building located at 515 North Reading Road. The proposed building addition will be used as storage/assembly space to improve the operations of the existing business operations of Farmstead Gourmet, a food gift basket provider. No new employees are anticipated as part of the proposed building expansion. The storm water facilities, as designed per the prior plan, have capacity to manage the net additional impervious (2,001 SF) of the building addition, which will disturb approximately .3 acres. The only storm water improvements associated with the building addition are a roof leader and a lawn drain that will connect to an existing storm sewer system that drains to the existing basin.

A motion was made by Tony Haws to conditional approval of the plan based on the applicant addressing the comments contained in the Township Engineer's letter dated July 29, 2022. The motion was seconded by Ty Zerbe and carried unanimously.

471 – NORTH READING ROAD – REVISED REZONING PETITION

Property owner Scott Cover presented the rezoning petition to the Board. Mr. Cover is the owner of three parcels of land commonly known as 471 North Reading Road. The property is currently zoned Industrial and Mr. Cover is requesting that the Township rezone the property to Commercial. The majority of the properties surrounding the tract are used for commercial purposes, which include a drug store, a paint store, an urgent care facility, a grocery store, an outdoor store, a gas station, a landscape business and other commercial uses. If the petition to rezone is granted, the petitioner intends to redevelop the property into multiple commercial uses.

Manager Sawyer stated that the rezoning petition does not include an adjoining property located at 477 North Reading Road. 477 North Reading Road is an approximately ½ acre lot on the corner of North Reading Road and Church Avenue that is not owned by Mr. Cover. Manager Sawyer stated that if the Board is willing to consider the petition, he recommended that the Township contact the owner of this parcel to participate in the rezoning. If the owner agrees, Mr. Cover stated that he will have his attorney amend the petition to include this parcel.

A motion was made by Ty Zerbe to table the decision on whether the Township will consider the petition and to direct Manager Sawyer to contact the owner of 477 North Reading Road to see if he is in favor of including his property in the rezoning petition. The motion was seconded by Tony Haws and carried unanimously

SPRINGVILLE MENNONITE SCHOOL – REVISED FINAL PLAN

Ted Cromleigh from Diehm and Sons presented the plan to the Board. Springville Mennonite School is an existing 6,311 SF school located at 538 Springville Road. The school is used for grades 1 through 6 and was constructed in 1989. The site utilizes public sewer service and an on-site water supply. The school is located on leased land on a 77.94-acre farm owned by Wilford and Kristine Martin.

A subdivision is proposed on behalf of Springville Mennonite School to subdivide a 4-acre lot that contains the school, macadam parking/recreation area and surrounding lawn area with ball and soccer fields. The proposed subdivision will not result in any expansion or increase in student base. There will be no land removed from the farm for the subdivision that is presently used for agricultural purposes.

A motion was made by Ty Zerbe to approve of a waiver to Section 402.C.4.d – Capacity and Condition of Existing Stormwater Management Facilities based on the justification provided. The motion as seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve of a waiver to Section 407 – Wetland Report based on the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to disapprove of a waiver to Section 602.A.7, 603.B, 603.C & 609.E – Reconstruction of Existing Streets, Curbing, Sidewalk and Street Trees but to allow the applicant to defer the improvements until such time as the Township, and/or PennDOT, at their sole discretion, determines 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 to Section 610.C.2 – On-Lot Sewer Replacement Location Easement 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 Springville Mennonite School Plan based on the applicant addressing the outstanding comments in the Township Engineer's letter dated August 12, 2022. The motion was seconded by Tony Haws and carried unanimously.

**Request for Deferral of Plan Review – 227 Wood Corner Road**

Nick Perilli from McCarthy Engineering was present to request that the Board approve a waiver of land development plan processing for a project at 227 Wood Corner Road, which is in both Ephrata Township and Clay Township. The proposed project includes expanding an existing commercial building for more storage capacity. All of the proposed work, the existing buildings and all other improvements on the property are located in Clay Township. Mr. Perilli informed the Board that the expansion of the existing commercial building has already been completed prior to submission of the land development plan.

A motion was made by Tony Haws to approve a waiver to Sections 305 & 306 – Plan Processing Procedures and to defer the review and approval of the plan to Clay Township. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Resolution – ARPA Funds.** Manager Sawyer presented a Resolution providing for supplemental appropriations for the 2022 budget for the Township to spend \$360,742.88 of the American Rescue Plan Funds. The supplemental appropriations would be for the purchase of a 2022 Freightliner dump truck for \$160,742.88 and a total appropriation of \$200,000 to the Ephrata Pioneer Fire Company, Lincoln Fire Company and the Akron Fire Company.

A motion was made by Ty Zerbe to approve the Resolution providing for supplemental appropriations for the 2022 budget as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Autumn Hills – Minor Amendment to NPDES Permit.** Ephrata Township is pursuing a modification to the location of the trail to be constructed as part of the Cocalico Creek Restoration project to avoid low lying areas as much as possible. Rettew Associates has contacted the Lancaster County Conservation District and have been informed that a minor amendment to the NPDES permit would be required for the change to the trail location. The cost of the application fee for the amendment to the NPDES permit is \$800.

A motion was made by Tony Haws to approve the submission of the NPDES Permit amendment including the \$800 application fee. The motion was seconded by Ty Zerbe and carried unanimously.

- **79 Summerlyn Drive – Landscape Easement.** Ephrata Township received a letter from Attorney Andrew Monastra who represents the owners of 79 Summerlyn Drive. His clients wish to dissolve the 10-foot-wide landscape easement as it applies to their property. This is the mirror image of the situation in January of 2019, when the owners of lots 25 and 26 sought and received, approval to terminate the obsolete landscape easement on their Summerlyn Green properties. By letter dated January 17, 2019, Ephrata Township indicated that they would not object to the dissolving the easement subject to the Township Solicitor's review of the final agreement in recordable form. The letter requests a similar arrangement of "non-objection" with their efforts to amicably terminate the easement with regard to Lot 23.

A motion was made by Ty Zerbe to not object to the dissolving the landscape easement on 79 Summerlyn Drive (lot 23) subject to the Township Solicitor's review of the final agreement in recordable form. The motion as seconded by Tony Haws and carried unanimously.

- **Martin Energy- Pedestrian Easement Update.** Manager Sawyer informed the Board that he had a meeting scheduled for 9 AM this morning with Martin Energy to discuss the pedestrian easement, but that Martin Energy requested that the meeting be rescheduled to tomorrow morning. Manager Sawyer will update the Board at the next meeting.

**Solicitor – Tony Schimaneck** Solicitor Schimaneck informed the Board that his office has prepared the agreements for the Mohler Church Road Subdivision Plan.

**Township Engineer – Jim Caldwell** reported that the following plans/projects are in the review process:

- MS4 Permit
- Ephrata Township Park Grading Plan
- Concept Excavating – Storm Water Management Plan
- Alan Martin - Land Development Plan
- Martin Energy - Land Development Plan
- Tommy's Carwash/Mavis Tire – Construction Observation
- Fry's Road – SWM As-Built Plan
- Denver Wholesale Foods – As-Built Plan

**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**

There was no additional information reported.

A motion was made by Tony Haws to adjourn the meeting at 8:20 P.M. The motion was seconded by Ty Zerbe and carried unanimously.

---

Clark R. Stauffer

---

Anthony K. Haws

---

J. Tyler Zerbe