

**PENN TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES**

DATE & TIME:

July 11, 2016

7:00 PM

**ATTENDANCE:**

Board Members Present:

Benjamin Bruckhart

Jill Groff

Ronald Krause

Dick Shellenberger

Richard Landis

**OTHERS IN ATTENDANCE:**

Mark Hiester, Township Manager

Daryl Lefever, Public Works Director

Betsy Logan, Director of Community Development

George Osenburg, resident

Tim Stirling, resident

Brian Miller, ELA Group

Justin Stoltzfus, LNP

Connie Weidle, Recording Secretary

**Call to Order and Pledge of Allegiance- 7 P.M., Ben Bruckhart, Chairperson**

**Public Comment/Guest Recognition**

Scott Kramer, RBC Capital Markets, presented documents to support the possible refinancing of the Township's 2012 Bonds and 2014 Bank Note. On motion by R. Landis, with a second by R. Krause, it was unanimous to authorize township staff and bond counsel to move forward on refinancing the debt.

**Conditional Use Hearing—Application of Westside RE Holdings, LLC:** Seeking conditional use approval to allow a 12-unit multi-family dwelling and three accessory buildings to be used for tenant storage at 738 Holly Tree Road in accordance with Section 27-202 of the Penn Township Zoning Ordinance.

B. Bruckhart read the following statement:

“Westside RE Holdings, LLC, has filed a conditional use application to develop 12 multifamily dwelling units and three accessory structures containing 34 garage or storage units on property identified as 738 Holly Tree Road and further identified as Lancaster County Tax Account No. 500-41936-0-0000. The hearing on this conditional use application has been advertised for this meeting of the Board of Supervisors on July 11, 2016, and I am formally opening the hearing.

Counsel for Applicant, Westside RE Holdings, LLC, forwarded a letter to the Board of Supervisors on July 6, 2016, requesting that the hearing be opened at this meeting and then continued to the July 25, 2016, meeting.”

A motion was made by D. Shellenberger, with a second by R. Krause, to continue the hearing at the request of the Applicant until the meeting of the Board of Supervisors on July 25, 2016 at 7:00 p.m. at the Penn Township Municipal Building. The motion passed unanimously.

A motion was made by J. Groff, with a second by R. Krause, to adjourn the hearing until July 25, 2016. The motion passed unanimously.

### **Approval of Minutes— June 27, 2016**

On motion by R. Landis, with a second by D. Shellenberger, it was unanimous to approve the Minutes of the June 27, 2016 Board of Supervisors Meeting.

### **Treasurer's Reports**

The Treasurer's Report was presented. The full report can be obtained at the Township Office. A motion was made by R. Krause, with a second by J. Groff, to accept the Treasurer's Report as presented. The motion passed unanimously.

### **Approval to Pay Invoices**

A motion was made by J. Groff, with a second by D. Shellenberger, to approve the payment of invoices submitted to the Board. The motion passed unanimously.

### **Reports**

The Board reviewed the monthly Building and Zoning Reports.

B. Logan presented her monthly Community Development and Public Outreach Report to the Board.

D. Lefever presented his monthly Public Works Department Report to the Board. He highlighted the following items from his report:

- Stormwater issues from recent storms were investigated by staff and township engineer on Bucknoll Road and on Fruitville Pike/Fairland Road.
- Flooring in maintenance building has been installed.
- Discussion took place concerning the request from a resident for "Watch Children" signs on Schoolway Drive. The consensus of the Board was to not install signs at this time. D. Lefever said he will reply to the township resident and will share with them the speed and count studies.
- J. Groff requested that the Public Works Department not close roads nearby other roads that are closed for construction.

The Board reviewed the monthly Sewage Enforcement Report submitted by Len Spencer.

M. Hiester presented his monthly Manager's Report to the Board.

### **The Board discussed the following Communications:**

- B. Logan and D. Lefever reviewed the DEP MS4 Compliance Audit Report with the Board.
- NWEMS donation thank you letter
- PA Auditor General letter to municipalities relative to municipal pension liability

### **Subdivision, Land Development, and Stormwater Management:**

- The Board discussed the Waivers for the Land Development Plan for AutoZone Retail Auto Parts Store No. 6742– replacing the existing vacant building with a new retail store on a 0.916 acre lot, located at 90 Doe Run Road, zoned T-5MU.

On motion by R. Landis, with a second by R. Krause, it was unanimous to approve, conditioned upon the items mentioned in B. Logan's letter dated July 11, 2016, the Waivers of:

§22-602.24.A and B – A. All electrical, telephone, television, and other communication facilities, both main and service lines, shall be provided by underground wiring within easements or dedicated public rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.

B. Lots that abut existing easements or public rights-of-way where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the overhead lines of the utilities shall be installed underground. In the case of existing overhead utilities, should a street widening, or an extension of service, or other such condition occur as a result of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground;

§22-302.8.B - For a preliminary plan application that is subject to approval with conditions, the applicant shall either approve or reject in writing the Conditions of Approval within 5 days of receiving such notice;

§22-303 – Final Plan Processing;

§23-303.2.A.(1)(d) - A minimum 15” diameter conveyance pipe is required for all stormwater facilities.

- The proposed Land Development Waiver Guidelines were reviewed and discussed. The consensus of the Board was to address the proposed changes at a future meeting.

**Other Business:**

- George Osenburg requested that the township compile a list of empty business buildings within the township to present to future applicants as alternatives to building new structures, in order to utilize the available empty space.
- Brian Miller, ELA Group, addressed the Board relative to the Change Order that was needed for the relocation of the Two Cousins business signs as a result of the intersection project on Doe Run Road/Penryn Roads. Discussion took place concerning the payment of the Change Order. The consensus of the Board was to stand by their original decision to approve the change order conditioned upon reimbursement by ELA Group.  
On motion by D. Shellenberger, with a second by J. Groff, it was unanimous to waive the building permit and inspections fees for the relocation of the Two Cousins business signs.
- Brian Miller shared with the Board that PPL is relocating guy wires on Stiegel Valley Road as part of the Doe Run/Penryn Roads intersection project.  
A motion was made by R. Krause, with a second by J. Groff to authorize payment to PPL in the amount of \$7,103.00 for wire relocation charges. The motion passed with a vote of 3 yes, 2 opposed. (R. Landis-no, R. Krause-yes, B. Bruckhart-yes, J. Groff-yes, D. Shellenberger-no)

**New Business:**

- M. Hiester advised the Board that Betsy Logan has submitted her resignation letter effective July 28, 2016. The Board accepted her resignation with regret and authorized M. Hiester to begin advertising to fill the position.

**Adjournment:**

On motion by R. Landis, with a second by D. Shellenberger, it was unanimous to adjourn the Meeting at 8:50 p.m. into Executive Session for a matter of potential litigation and a personnel matter.

The Board reconvened at 9:07 p.m.

On motion by J. Groff, with a second by R. Krause, it was unanimous to adjourn at 9:08 p.m.

Respectfully Submitted,  
Connie Weidle, Recording Secretary