

**PENN TOWNSHIP
BOARD OF SUPERVISORS
MINUTES**

DATE & TIME: July 25, 2016 7:00 PM

ATTENDANCE: Members: Benjamin Bruckhart
Ronald Krause
Dick Shellenberger
Richard Landis
Absent:
Jill Groff

Others: Betsy Logan, Penn Township
Amy Minnich, Penn Township
Daryl Lefever, Penn Township
Mike Wolgemuth, STS
George Osenburg, Resident
Randy Hoover, Team Ag
Justin Stoltzfus, LNP
Barry Flora, Kreider Farms
Randy Sweltzer, Resident
Tim & Susan Stirling, Residents
John & David Faubam, Residents
Gerald Wolfe, Resident
Daryl Myer, Myers Furniture
Tom Beach, Kreider Farms
Mark Hiester, Penn Township

Benjamin Bruckart called the meeting to order and led the Pledge of Allegiance at 7:00 p.m.

Public Comment/Guest Recognition – Daryl Myer asked to speak to the Board of Supervisors privately after the meeting. The supervisors and Hiester listened to Myer but township officials did not conduct any township business.

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.

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 25, 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 11, 2016, requesting that the hearing be opened at this meeting and then continued to the August 22, 2016, meeting.”

On motion by Krause and seconded by Shellenberger, the hearing was continued at the request of the Applicant until the meeting of the Board of Supervisors on August 22, 2016 at 7:00 p.m. at the Penn Township Municipal Building. The motion passed unanimously.

On motion by Shellenberger and seconded by Landis, the hearing was adjourned until August 22, 2016. The motion passed unanimously.

Approval of Minutes – July 11, 2016

On motion by Shellenberger and seconded by Krause, the minutes of July 11, 2016 meeting were approved. Motion passed unanimously.

Treasurer's Reports

The Treasurer's Report was presented. The full report can be obtained at the Township Office. On motion by Landis and seconded by Krause, to accept the Treasurer's Report as presented. The motion passed unanimously.

Approval to Pay Invoices

On motion by Shellenberger and seconded by Krause, to approve the payment of invoices submitted to the Board. The motion passed unanimously.

Reports

The Board reviewed the reports from the following:

Penryn Fire Department

Northwest Emergency Medical Services

Northern Lancaster County Regional Police Department

Northwestern Lancaster County Authority

Manheim Area Water and Sewer Authority

Communications

- Stable Hollow Customer Appreciation Day Invitation – August 13, 2016
- Northwest Emergency Medical Services Invitation – August 11, 2016

Subdivision, Land Development and Stormwater Management

- Extension of time request for Verizon Wireless Elm Site Land Development Plan (Twp. File #16-003) – current deadline – July 30, 2016; new deadline October 28, 2016.

On motion by Landis and seconded by Shellenberger, extension of time request for Verizon Wireless Elm Site Land Development Plan (Twp. File #16-003) new deadline date October 28, 2016 was accepted. The motion passed unanimously.

- Land Development Plan for Kreider Shop Expansion (Twp. File #16-006A) – request for a building and parking area expansion, located at 453 S. Penryn Road, zoned T-2.

A discussion was had about notifying the railroad of the project. Kreider has done this but has not received any response from the railroad. Also, an in-depth discussion and compromise about obtaining right-of-way along S. Penryn Road, Indian Village Road and the intersection occurred. The Township Solicitor wrote the following statement to be placed on the plans for the right-of-way.

“Landowners, for themselves and for successor owners of Parcel 1 and Parcel 2 acknowledge that Section 22-602.3.B of the Penn Township Subdivision and Land Development Ordinance requires dedication of additional right-of-way along the street frontages of Parcel 1 and Parcel 2. Landowners, for themselves and for successor owners of Parcel 1 and Parcel 2 by the recording of this Plan hereby agree that if the Township in the future requires additional right-of-way along the South Penryn Road and Indian Village Road frontages of Parcel 1 and Parcel 2, the then-owners shall not be entitled to compensation for the value of the right-of-way which Section 22-602.3.B of the Subdivision and Land Development Ordinance required Landowners dedicate to the Township in connection with the Plan.”

Holding Tank and Water permits are in process but not complete, the applicant requested this be a condition of certificate of occupancy. Township staff recommended having the agreements in place before issuing a building permit.

On motion by Landis and seconded by Krause, the Board of Supervisors granted waiver of Section 22-402.A(3) & 22-403.1.A(3) Drafting Standards to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Landis and seconded by Shellenberger, the Board of Supervisors granted waiver of Section 22-403.1.B(10) & 22-403.1.D(13) Monuments to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Landis and seconded by Shellenberger, the Board of Supervisors granted waiver of Section 22-402.E(3) & 22-403.1.E(4) Survey Certificate to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Shellenberger and seconded by Krause, the Board of Supervisors granted waiver of Section 22-402.K, 22-403.1.K, 22-402.L, 22-403.1.L, 22-402.M & 22-403.1.M Provide an environmental impact assessment, green design assessment, public impact study and report consistent with requirements of section 22-614-616 to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Landis and seconded by Krause, the Board of Supervisors granted waiver of Section 22-603.8 Accommodations for bicycle parking shall be provided to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors granted waiver of Section 22-602.5 Provide curb within the interior parking compound to Kreider Shop Expansion (Twp. File #16-006A) as conditioned in Township Staff review letter dated June 30, 2016. Motion passed unanimously.

On motion by Shellenberger and seconded by Landis, the Board of Supervisors granted waiver of Section 22-603.3, 22-603.4, 22-603.6, 22-603.7, 22-607.2 & 22-610.10 Requiring landscaping, bio-infiltration, and aisles in parking lots to Kreider Shop Expansion (Twp. File #16-006A). Motion passed unanimously.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors granted waiver of Section 22-602.3.B.(1) Required Right-of-Way and Cartway Width for local and collector street to Kreider Shop Expansion (Twp. File #16-006A) as conditioned in Township Staff review letter dated June 30, 2016 accepting the intersection dedication and placing the note as presented on the plan for future Right-of-Way dedication of parcels 1 and 2. Motion passed unanimously.

On motion by Shellenberger and seconded by Krause, the Board of Supervisors approved the Land Development Plan for Kreider Shop Expansion (Twp. File #16-006A) conditional upon Holding Tanks and Water Permits being completed before Certificate of Occupancy is issued, and conditioned upon the Township Staff letter dated June 30, 2016. Motion passed unanimously.

- Waiver of Preliminary Land Development Plan Processing and Stormwater Management Plan for Groff Poultry Barn (Twp. File # 16-010 & 16-010A) – constructing a 63’ x 500’ poultry barn where a 200’ x 45’ hog barn was destroyed on a 76.7 acre lot located at 1043 Mountain Road, zoned T-2.

On motion by Shellenberger and seconded by Krause, the Board of Supervisors granted waiver of Preliminary Land Development Plan Processing for Groff Poultry Barn (Twp. File #16-010 & 16-010A) conditional on the Township Staff review letter dated July 5, 2016. Motion passed unanimously.

- Waivers from Section 22-302 Preliminary Plan Processing and Section 22-303 Final Plan Processing of Lot Add-On Plan for Willow Bend Estates Lots 8 & 9 (Twp. File #16-011) – defer subdivision plan review and approval to Manheim Township.

On motion by Landis and seconded by Krause, the Board of Supervisors granted Waivers Preliminary Plan Processing section 22-302 and Final Plan Processing section 22-303 for Willow Bend Estates Lots 8 & 9 Lot Add-On plan. Motion passed unanimously.

- Full release of cash escrow in the amount of \$56,235.78 pertaining to Thomas Schell Stormwater Management Plan (Twp. File #14-007) contingent upon receipt of a properly executed NPDES Permit Notice of Termination (NOT)

On motion by Shellenberger and seconded by Krause, the Board of Supervisors granted full release of cash escrow in the amount of \$56,235.78 pertaining to Thomas Schell Stormwater Management Plan (Twp. File #14-007) contingent upon receipt of a properly executed NPDES Permit Notice of Termination (NOT). Motion passed unanimously.

- Full release of the Letter of Credit posted by Ditz Drive Properties, LP pertaining to the Longenecker's Storage Final Land Development Plan contingent upon receipt of a properly executed NPDES Permit Notice of Termination (NOT) and the applicant addressing the outstanding items noted in the Township Engineer's July 15, 2016 email.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors granted full release of the Letter of Credit posted by Ditz Drive Properties, LP pertaining to the Longenecker's Storage Final Land Development Plan contingent upon receipt of a properly executed NPDES Permit Notice of Termination (NOT) and the applicant addressing the outstanding items noted in the Township Engineer's July 15, 2016 email. Motion passed unanimously.

- Memorandum of Understanding with the Lancaster County Planning Commission regarding review of Minor Land Development Plans

The Board would like more time to process and review the Memorandum of Understanding before taking action.

On motion by Landis and seconded by Shellenberger, the Board of Supervisors is tabling action on the Memorandum of Understanding with the Lancaster County Planning Commission regarding review of Minor Land Development Plans. Motion passed unanimously.

Old Business – none

New Business

- Stable Hollow Fire Police request – Stable Hollow is requesting fire police from 10 am to 2 pm on August 13, 2016 during their Customer Appreciation event.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors granted Stable Hollow Fire Police request for August 13, 2016 from 10 am to 2pm. Motion passed with Landis abstaining from voting.

- Accept the revised resignation of Elizabeth Logan to be effective at the end of August 7, 2016.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors regretfully granted the revision of the resignation of Elizabeth Logan to be effective at the end of August 7, 2016. Motion passed unanimously.

- Accept the resignation of Ken Ebersole to be effective at the end of July 28, 2016.

On motion by Krause and seconded by Shellenberger, the Board of Supervisors accepted the resignation of Ken Ebersole to be effective at the end of July 28, 2016. Motion passed unanimously.

Other Business

- Discuss letter from Bob Sisko regarding retention of two Transferrable Development Rights for Justin Wolgemuth property located at 1677 Gish Road.

On motion by Shellenberger and seconded by Landis, the Board of Supervisors denied Justin Wolgemuth's request to retain two Transferrable Development Rights for the property located at 1677 Gish Road. Motion passed unanimously.

Adjournment

Landis made a motion to adjourn the meeting at approximately 8:20 p.m. into Executive Session for personnel matter. Shellenberger seconded the motion and it passed unanimously.

On motion by Landis and seconded by Shellenberger, Executive Session was adjourned at 9:24 p.m. Motion passed unanimously.

On motion by Krause and seconded by Landis, the meeting was adjourned at 9:25 p.m. Motion passed unanimously.

Respectfully Submitted,
Amy Minnich