

**PENN TOWNSHIP
BOARD OF SUPERVISORS
MINUTES**

DATE & TIME:

October 22, 2018

7:00 PM

BOARD ATTENDANCE:

Benjamin Bruckhart
Ronald Krause
Richard Landis

ABSENT:

Jill Groff
Dick Shellenberger

OTHERS IN ATTENDANCE:

Mark Hiester, Township Manager
Sharyn Young, Township Planner
Josele Cleary, Esq., Morgan Hallgren Crosswell Kane
Dan Wagner, Manheim Fire Department
Fred Hammond, resident
Doug Zook, Inframark
Shannon Martin, Penryn Fire Company
Jason Sauder, resident
Jessica Sauder, resident
Glenn Sauder, resident
Gerald Wolfe, resident
Alex Piehl, RGS Assoc.

Jonathan Hollinger, Pleasant View Retirement Community
Dwight Yoder, Esq., Gibbel Kraybill & Hess LLP
Cameron Renehan, TeamAg Inc.
Joan Kauffman, Pleasant View Retirement Community
Bill Kauffman, Pleasant View Retirement Community
James Shaffer, Pleasant View Retirement Community
Nancy Hann, Pleasant View Retirement Community
Randy Sweitzer, resident
Tom Beachler, Kreider Farms
Lynn Sauder, resident
Diana Sauder, resident
Connie Weidle, Recording Secretary

Call to Order and Pledge of Allegiance—7 P.M., Benjamin Bruckhart, Chairperson

Public Comment/Guest Recognition

Randy Sweitzer inquired if there is any progress on the removal of the utility pole on Elm Road. B. Bruckhart responded that Daryl Lefever has been in touch with PPL and has not yet received a response.

Hearing of proposed Ordinance No. 2018-05 amending the Penn Township Code of Ordinances, Chapter 27, Zoning, to revise regulations governing setbacks for residential garages.

B. Bruckhart opened the Hearing for the proposed Ordinance No. 2018-05.

Sharyn Young presented the exhibits.

Board of Supervisors Exhibit 1 – copy of proposed ordinance

Board of Supervisors Exhibit 2 – copy of public notice and proof of publication

Board of Supervisors Exhibit 3 – copy of Lancaster County Planning Commission’s review

Board of Supervisors Exhibit 4 – email transmitted to the Penn Township Planning Commission.

She noted that the Hearing was advertised as required. Further testimony will be presented at an upcoming meeting of the Board of Supervisors before a decision will be made.

A motion was made by R. Landis, with a second by R. Krause to close the Hearing. The motion passed unanimously.

Hearing of proposed Ordinance No. 2018-06 amending the Zoning Ordinance Map by changing the zoning of the property at 575 North Penryn Road from T-2 Ag to T-5R TND Residential

B. Bruckhart opened the Hearing.

Sharyn Young presented the exhibits.

Board of Supervisors Exhibit 1 – Zoning Ordinance and map

Board of Supervisors Exhibit 2 – a copy of the legal notice with advertisement on October 4 and 11, 2018

Board of Supervisors Exhibit 3 – Penn Township Planning Commission recommendation

Board of Supervisors Exhibit 4 – Lancaster County Planning Commission recommendation

Board of Supervisors Exhibit 5 – the notice posted at the property and a photo of the posting

Ben Bruckhart asked if there were comments from the audience. Comments were given by property owners near the property at 575 N. Penryn Road.

- Jessica Sauder stated she is against the rezoning for reasons of having a residential area surrounded by preserved farms, the trash, people walking through her property, and does not want a library in this location. She also presented a letter to the Board from another nearby resident, Mrs. Shank, stating her position against the rezoning.
- Jason Sauder stated he is against the rezoning for negative reasons of having a residential zoning next to agricultural zoning. He stated that they need to operate late at night, spread manure and he's concerned about stormwater issues.
- Lynn Sauder stated he does not want to see farmland changed to residential. He is concerned about the stormwater issues and traffic problems.
- Dwight Yoder, attorney for Pleasant View Retirement Community, presented the reasons for the request of the rezoning. They are planning to use this as a cultural arts center and for agricultural related activities. They are seeking first the zoning change of the land and will then request a text amendment. He stated that both the Penn Township Planning Commission and the Lancaster County Planning Commission recommended approval.
- Jonathan Hollinger, President and CEO of Pleasant View Retirement Community, described the plans of Pleasant View Retirement Community. They have a letter of intent with the library and Pleasant View Retirement Community wants to provide facilities that could be enjoyed by an inter-generational mix of people. The agricultural uses would be boarding stables and farming.
- Bill Kauffman, resident of Pleasant View Retirement Community, shared that he does not object to the farming operations nearby.
- Josele Cleary stated that if this remains zoned for agriculture it will not be a part of the development tract. A decision must be made by the Board within 60 days.

A motion was made by R. Landis, with a second by R. Krause, to close the Hearing. The motion passed unanimously.

Conditional Use Hearing, Pleasant View Retirement Community application for the expansion of a continuing care residential community

A COURT REPORTER WAS PRESENT. A FULL STENOGRAPHIC RECORD IS AVAILABLE AT THE EXPENSE OF THE REQUESTER.

Josele Cleary, Penn Township solicitor, explained the procedures of the Hearing to the audience.

Sharyn Young was sworn in and presented Exhibits.

Board of Supervisors Exhibit 1 – Pleasant View Retirement Community application for conditional use to expand its existing campus by building two new apartment buildings.

Board of Supervisors Exhibit 2 – a copy of the legal notice with advertisement on October 4 and October 11, 2018

Board of Supervisors Exhibit 3 – a public notice mailed to owners around the subject property and a mailing list of recipients

Board of Supervisors Exhibit 4 – notice that was posted and a photo of the notice

Board of Supervisors Exhibit 5 – the Penn Township Planning Commission recommendation

Board of Supervisors Exhibit 6 – Sharyn Young's recommendation

No one in the audience requested to be recognized as a Party.

Dwight Yoder, attorney representing Pleasant View Retirement Community, presented the application and introduced the witnesses. He presented the Exhibits A-1, A1-5 A-2.

Jonathan Hollinger, President and CEO of Pleasant View Retirement Community, was sworn in and presented testimony.

Alex Piehl, PE, RGS Associates, was sworn in and presented testimony.

Questions from the audience were asked by Randy Sweitzer, resident of Penn Township, and Shannon Martin, Chief, Penryn Fire Company.

A motion was made by R. Krause, with a second by R. Landis, to grant the application of Pleasant View Retirement Community for conditional use approval pursuant to Sections 27-202 and 27-444 of the Zoning Ordinance to allow construction of two apartment buildings, each of which will contain 18 dwelling units, as an expansion of the continuing care retirement community on the property identified as 544 North Penryn Road, Manheim, Pennsylvania. This approval is subject to the following conditions and safeguards which the Board deems necessary to demonstrate compliance with the

specific and objective requirements of the Zoning Ordinance, to implement the purposes of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code and to incorporate the commitments made on the record by Applicant at the hearing:

1. Applicant shall purchase any TDRs necessary for the proposed density of the Community prior to the release of the final land development plan for recording.
2. Applicant shall purchase all TDRs necessary for the increase in building height over 35 feet prior to the release of the final land development plan for recording. Applicant shall provide detailed calculations based on the final design of the buildings as part of the land development plan to enable calculation of the precise number of TDRs required.
3. Applicant shall provide a precise calculation of the impervious surface coverage with the Land Development Plan. If the Hoffer Farm is not rezoned to T-5R Residential District and the impervious surface coverage of the Property exceeds 40 percent, Applicant shall purchase any necessary TDRs for the impervious surface coverage prior to the release of the final land development plan for recording.
4. Applicant at a minimum shall extend the Community's trail system to the rear of the proposed buildings as shown on Exhibit A-1, Tab 3, and shall install a walking path along Red Oak Drive.
5. Applicant shall evaluate the water system on its campus during the land development process and take steps, if necessary, to insure adequate pressure and volume is available throughout the campus for sprinkler and fire suppression as required by all applicable codes.
6. Applicant shall provide a sufficient number of handicapped accessible parking spaces to meet the requirements of the Americans with Disabilities Act and the Pennsylvania Uniform Construction Code.
7. Applicant shall include a note or notes on its land development plans that break out the dwelling unit and dwelling unit equivalent density calculations for the Community.
8. As part of Applicant's land development plan, Applicant shall dedicate additional right-of-way on North Penryn Road along the street frontages of the two individual lots Applicant owns at 576 and 584 North Penryn Road (Lancaster County Tax Account Nos. 500- 90833-0-0000 and 500-83836-0-0000) consistent with the right-of-way along Applicant's main campus on the Property.
9. Applicant shall at all times substantially comply with and adhere to the evidence presented during the review of this conditional use application with such changes to the plans as may be approved by the Board of Supervisors during the land development process.

The motion passed unanimously. B. Bruckhart closed the Hearing.

Approval of October 9, 2018 Budget Meeting Minutes

A motion was made by R. Krause, with a second by R. Landis, to approve the October 9, 2018 Budget Meeting Minutes. The motion passed unanimously.

Approval of October 9, 2018 Meeting Minutes

A motion was made by R. Landis, with a second by R. Krause, to approve the October 9, 2018 Meeting Minutes. The motion passed unanimously.

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. Landis, with a second by R. Krause, to accept the Treasurer's Report as presented. The motion passed unanimously.

Approval to Pay Invoices

A motion was made by R. Krause, with a second by B. Bruckhart, to approve the payment of invoices submitted to the Board. The motion passed unanimously.

Reports:

Northwestern Lancaster County Authority

Doug Zook highlighted the following items from his monthly report:

- There is no data communications between the water tower and the water plant. Inframark is working with Tristar to explore options to install cellular or radio communications equipment.
- Low chlorine residual at the Fruitville Pike Booster Station continues to be an issue. Inframark is working with Becker Engineering to design a recirculation system.

- There were 3 days in September where the influent flow at the wastewater plant exceeded 1 million gallons per day.
- On September 11, 2018 Well 3 experienced an electrical fault due to flooding. Garden Spot Electrical has made the repairs and replaced the damaged junction box.
- The E. Coli testing is completed.
- A proposal for the replacement of the SCADA system will be presented at the next Authority meeting.

Northern Lancaster County Regional Police Department

M. Hiester reported that the police budget is being finalized.

Penryn Fire Department

Shannon Martin reported that the rescue equipment is in service. M. Hiester noted that the fire company dedicated the rescue pumper truck in honor of Shannon Martin.

Manheim Fire Department

Dan Wagner presented his monthly report to the Board.

The Board acknowledged receipt of reports from the following organizations:

Northwest Emergency Medical Services
 Manheim Area Water and Sewer Authority
 Manheim Community Library
 Lititz recCenter

Subdivision, Land Development, and Stormwater Management:

- Alex Piehl presented the request for waiver of land development processing and approval of the Pleasant View Retirement Community Implement Building LD Waiver Plan (Project No. 18-014). This is for the construction of an implement building that will replace one of the barns as well as one that has already been demolished. It will be constructed on an existing impervious surface.

A motion was made by R. Landis, with a second by R. Krause, to conditionally approve the request for a waiver of land development processing and the Pleasant View Retirement Community Implement Building LD Waiver Plan, conditioned upon the items mentioned in Sharyn Young's October 18, 2018 letter. The motion passed unanimously.

- Cameron Renehan presented the request for conditional approval of a revised stormwater management plan for Kreider Farms 1104 Woodlot Road Revised SWM Plan Proposed Poultry Barn (Project No. 18-012).

A motion was made by R. Landis, with a second by R. Krause, to conditionally approve the revised stormwater management plan for Kreider Farms 1104 Woodlot Road Revised SWM Plan Proposed Poultry Barn (Project No. 18-012), conditioned upon the items mentioned in S. Young's October 18, 2018 letter, the Township solicitor's September 7, 2018 letter, the Township engineer's October 5, 2018 letter and the Zoning Hearing Board decision of September 12, 2018. The motion passed unanimously.

- The Board discussed the request for waiver of land development processing by Penn Township to allow approval process to be handled in Rapho Township for the Nolt-Blank Lot Add-On Plan (Project No. 18-011) on Colebrook and Warehouse Roads.

A motion was made by R. Landis, with a second by R. Krause, to allow approval process to be handled in Rapho Township for the Nolt-Blank Lot Add-On Plan on Colebrook and Warehouse Roads. The motion passed unanimously.

New Business:

- The Board discussed the resolution to support the existing Earned Income Tax collections and opposing a state-wide collection. The Board directed staff to have a draft resolution prepared for the next Board meeting.

Adjournment

A motion was made by R. Landis, with a second by R. Krause, to adjourn the meeting at 8:52 p.m. into Executive Session for a personnel matter and the Board would not reconvene. The motion passed unanimously.

Respectfully Submitted,
 Connie Weidle, Recording Secretary