

**PENN TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES**

DATE & TIME:

October 28, 2019

7:00 PM

**BOARD ATTENDANCE:**

Benjamin Bruckhart  
Jill Groff  
Ronald Krause  
Richard Landis  
Gary Stevens

**OTHERS IN ATTENDANCE:**

Mark Hiester, Township Manager	Randy Sweitzer, resident
Jennifer Brady, Township Planner	Tom Walsh, resident
Matthew Reeser, Zoning Officer & BCO	Randy Hoover, TeamAg
Fred Hammond, resident	Lamar Stoltzfus
Gerald Wolfe, resident	Dwayne Hoover, Cornerstone Woodworks LLC
Ann Roberts, resident	Connie Weidle, Recording Secretary

**Call to Order and Pledge of Allegiance - 7 P.M. – Benjamin Bruckhart, Chairman**

**Public Comment & Guest Recognition - None**

**Approval of October 14, 2019 Meeting Minutes**

A motion was made by R. Landis, with a second by J. Groff, to approve the October 14, 2019 Meeting Minutes as presented. The motion passed unanimously.

**Treasurer's Reports**

The Treasurer's Reports were presented. The full reports 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 Reports as presented. The motion passed unanimously.

**Approval to Pay Invoices**

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

**The Board reviewed Reports from the following organizations:**

**Northern Lancaster County Regional Police Department**

R. Krause reported that contract negotiations with the police are continuing.

**Penryn Fire Department**

**Northwest Emergency Medical Services**

**Northwestern Lancaster County Authority**

**MAWSA**

**Lititz recCenter**

G. Stevens reported that the Silver Sneaker Program is being discontinued at Lititz recCenter and monthly fees are being adjusted.

**Conditional Use Hearing**, Lamar Stoltzfus et al. Demolition of an existing dwelling and summer house at 27 Fairview Road Lititz, PA 17543

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

B. Bruckhart opened the Hearing and read the instructions and procedures for the Conditional Use Hearing.

M. Reeser stated that the Hearing was advertised as required by law.

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

Randy Hoover, TeamAg, Lamar Stoltzfus, property owner, Dwayne Hoover, Cornerstone Woodworks, and Matthew Reeser, Township Zoning Officer and BCO were sworn in.

Randy Hoover and Dwayne Hoover presented testimony as to the condition of the existing dwelling and the summer house. Photo exhibits were presented. When asked, Randy Hoover replied that the building may be within or close to the road right-of-way. He also said they propose to build the proposed dwelling outside of the right-of-way. Owner Stoltzfus said he found the building in disrepair when he bought the property 12 years ago.

R. Krause questioned the condition and the use of the other buildings on the property. L. Stoltzfus replied that the other buildings on the property are being used are not being demolished at this time.

Ann Roberts, 54 Fairview Road, questioned the condition of the tobacco barn and if there are plans to demolish it. L. Stoltzfus replied that no decision has been made at this time for the tobacco barn.

M. Reeser commented that all zoning requirements and building permits will have to be secured when rebuilding takes place.

B. Bruckhart read the recommendation from the Township Solicitor which included 6 recommended conditions.

The Board consensus was to remove condition number 2 which states, "Applicant shall photograph and document the interior and exterior of the dwelling prior to demolition and shall submit the pre-demolition photographs to the Township for archival purposes." The Board also desired to change the verbiage of Condition 1 to clarify, as there is a tobacco barn on the property which will not be altered: "Applicant shall remove the foundations of the Dwelling and ~~barn~~ summer kitchen and shall grade and seed the site after the removal of the foundations."

Jay Stoltzfus and Merle Stoltzfus, neighbors to the property, commented that they were in favor of the dwelling and summer kitchen being demolished.

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

A motion was made by R. Landis, with a second by G. Stevens, to grant approval of the demolition of the existing dwelling and summer house at 27 Fairview Road, Lititz, PA, conditioned upon the recommendations of the Township Solicitor, eliminating the condition "Applicant shall photograph and document the interior and exterior of the dwelling prior to demolition and shall submit the pre-demolition photographs to the Township for archival purposes" and changing the language of "barn" to "summer kitchen". The motion passed unanimously.

#### **Communications:**

- The Board thanked the employees for receiving the 3<sup>rd</sup> Place Worker's Compensation Insurance Award. M. Hiester commented that a safety committee would need to be formed to receive a higher award. The Board asked M. Hiester to identify how to start such a committee in 2020.

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

- A motion was made by R. Krause, with a second by R. Landis, to authorize conditional approval and execution of the Agreements for the T&D Excavating Stormwater Management Plan, No. 18-005, conditioned upon the items mentioned in the Township Planner letter dated October 28, 2019. The motion passed unanimously.
- A motion was made by R. Landis, with a second by J. Groff, to approve the financial security reduction in the amount of \$97,100, for the Speedwell Construction Project, No. 18-008A, leaving a balance of \$5,469. The motion passed unanimously.
- A motion was made by R. Landis, with a second by R. Krause, to accept the 30-day Time Extension Grant to the Township, for the Stehman Plan No. 19-001A. The motion passed unanimously.

#### **New Business:**

- A motion was made by R. Landis, with a second by J. Groff to approve the MS4 Grant Application to the National Fish and Wildlife Federation. The motion passed unanimously.
- A motion was made by R. Landis, with a second by R. Krause, to accept the Girard Financial Services Pension Plan Agreement. The motion passed unanimously.
- A motion was made by R. Krause, with a second by J. Groff, to approve the PennDOT Multimodal Transportation Fund Grant Resolution 2019-17. The motion passed unanimously.

- The Board acknowledged that the owner of 1050 Lancaster Road signed the MAWSA Public Water Private Well Connection Backflow Agreement.
- A motion was made by R. Krause, with a second by G. Stevens, to approve the 2020 Manheim Auto Auction Police Services Agreement. The motion passed unanimously.
- A motion was made by R. Krause, with a second by J. Groff, to approve the 2020 Meeting Calendar and Holiday Calendar. The motion passed unanimously.
- A motion was made by R. Krause, with a second by B. Bruckhart, to approve the December 7, 2019 Santa Run Detour Route in Penn Township. The motion passed with a vote of 4-1.
- A motion was made by J. Groff, with a second by G. Stevens, to approve the execution of the Glotz Stormwater Management Small Project Easement Agreement for recording. The motion passed unanimously.
- A motion was made by G. Stevens, with a second by R. Krause, to approve the execution of the third amendment to the Baron's Ridge Stormwater Easement Agreement. The motion passed unanimously.
- A motion was made by R. Krause, with a second by G. Stevens, to approve a Township Resolution in support of the Lancaster County Drug Task Force and request to the Lancaster County Board of Commissioners to fund the program in a sustainable manner. The motion passed unanimously.
- A motion was made by R. Landis, with a second by J. Groff, to authorize staff to notify Representative Mindy Fee that the Township opposes House Bill 432, changing the presumption of proof to be on the insurer (municipality) that the employee (firefighters, police, emergency responders) does not have PTSD. The motion passed unanimously.

### **Adjournment**

A motion was made by R. Landis, with a second by J. Groff, to adjourn the meeting at 8:15 p.m. The motion passed unanimously.

Respectfully Submitted,  
Connie Weidle, Recording Secretary