



PENN TOWNSHIP

LANCASTER COUNTY, PA

BOARD OF SUPERVISORS MEETING MINUTES

November 14, 2022

7:00 PM

BOARD ATTENDANCE:

Benjamin Bruckhart
Richard Landis
Ronald Krause
Gary Stevens
Tom Walsh

OTHERS IN ATTENDANCE:

Mark Hiester, Township Manager
Daryl Lefever, Public Works Director
Jennifer Tulonen, Township Planner
Matthew Reeser, BCO, Zoning Officer
Josele Cleary, Esq., Morgan, Hallgren, Crosswell
& Kane
Fred Hammond, resident
Scott Fellenbaum, resident
Melissa Boettger, resident

Daniel Lapp, resident
Gerald Wolfe, resident
Elaine Walmer, LNP
Titus Neuenschwander, KN Farms LP
Mark DiSanto, Triple Crown Corp.
Charles Courtney, Esq., McNees Wallace
& Nurick
Connie Weidle, Recording Secretary

Call to Order and Pledge of Allegiance – B. Bruckhart opened the meeting at 7 p.m. and led in the Pledge of Allegiance.

Public Comment & Guest Recognition – There were no public comments or guest recognition.

Subdivision and Land Development and Stormwater Management

- J. Tulonen presented the small stormwater management project for 1769 Newport Road. This project is for a driveway expansion and removal of a small section of driveway.

A motion was made by R. Krause, with a second by G. Stevens, to conditionally approve the Small Project Stormwater Management Plan for 1769 Newport Road. The motion passed unanimously.

- J. Tulonen presented the grant of time request extended to the Board of Supervisors for the 327 White Oak Road project. She explained the plan needs to be reviewed and granted Planning Commission approval.

A motion was made by T. Walsh, with a second by R. Krause, to approve a grant of time extension for the Board of Supervisors action for the 327 White Oak Road Project (#22-008) to February 28, 2023. The motion passed unanimously.

- J. Tulonen presented the grant of time request extended to the Board of Supervisors for the 1725 Boyer Run Road Subdivision Plan. The applicant and Township are waiting on the DEP Planning Module to be approved.

A motion was made by T. Walsh, with a second by R. Krause, to approve a grant of time extension for the Board of Supervisors action for the 1725 Boyer Run Road Project (#22-009). The motion passed unanimously.

- M. Reeser presented two requests from Daniel Lapp, 1046 Newport Road, for Stormwater Management and Fee Schedule waivers. The first request relates to 6 structures that were built without permits. Mr. Lapp is now in the process of obtaining the necessary permits, but is requesting a reduction in the fees. The second request is for relief from stormwater management due to the uniqueness of the property and the property being located in the Village Zoning District, which has different requirements for stormwater management.

A motion was made by R. Landis, with a second by R. Krause, to deny the waiver of permit fees. The motion passed unanimously.

A motion was made by R. Krause, with a second by G. Stevens, to conditionally grant the waiver from Section 23-402.2.A of the Stormwater Management Ordinance, with the condition of the owner obtaining applicable permits. The motion passed with a vote of 4-1. (R. Landis voted opposed.)

New Business

- Scott Fellenbaum, 848 Conestoga Avenue, requested a reduction in permit fees for work that was started without permits. M. Reeser explained that structures were removed without a permit. Scott Fellenbaum stated he did not think that a permit was needed for removal.

A motion was made by R. Landis, with a second by T. Walsh, to deny the request for a reduction in permit fees. The motion passed unanimously.

- Melissa Boettger requested a permit fee reduction for a fence that was installed without permits at 579 Schoolway Drive. She said the fence was needed to prevent trespassing by her neighbor.

A motion was made by G. Stevens, with a second by T. Walsh, to deny the request for a reduction in permit fees in keeping with the other requests this evening. The motion passed unanimously.

- A motion was made by G. Stevens, with a second by R. Krause, to accept, refer, and advertise a Zoning Map Amendment Petition for 3 Junction Road properties. The motion passed unanimously.
- Discussion took place relative to the reasons for the Fruitville Pike Project Change Order 3 for \$2,000. The consensus of the Board was to table the decision to approve the Charge Order 3 until a future meeting and Staff would obtain more detailed information.
- A motion was made by R. Krause, with a second by R. Landis, to approve Fruitville Pike Project Payment #4 to Farhat Excavating for \$326,978.32, which is \$2,000 less than requested due to Change Order 3. The motion passed unanimously.
- A motion was made by R. Landis, with a second by R. Krause, to authorize Staff to draft a Volunteer Firefighter Tax Credit Program Ordinance. The motion passed unanimously.
- Discussion took place relative to the proposed Emergency Medical Services Authority. Josele Cleary explained what could happen if the proposed authority presents property fees.

A motion was made by R. Landis, with a second by R. Krause, to proceed with Penn Township being a part of advertising a township ordinance to join the Emergency Medical Services Authority. The motion passed with a vote of 3-2, B. Bruckhart, R. Landis, and R. Krause voted in favor and T. Walsh and G. Stevens voted opposed.

- A motion was made by R. Landis, with a second by G. Stevens, to approve the 2023 Meeting Schedule and 2023 Holiday Schedule. The motion passed unanimously.
- Mark DiSanto, Triple Crown Corp. and Charles Courtney, McNees Wallace presented their request to the Board to authorize PPL to relocate poles on South Oak Street and Fruitville Pike. Josele Cleary advised the Board to not sign the application to PPL unless there is an agreement from the developer to reimburse the Township. She also advised the letter received by the Board today from Triple Crown would be acceptable. M. Hiester said that the 3 Fruitville Pike pole relocations may be the result of the township's previous intersection project and PennDOT's review of the Avery Square plan.

A motion was made by T. Walsh, with a second by G. Stevens, to add the Fruitville Pike and South Oak Street PPL Pole Relocation to this evening's Agenda. The motion passed unanimously.

A motion was made by R. Landis, with a second by T. Walsh, to approve the Pole Relocation Application be sent to PPL by the Township based on the letter received today, November 14, 2022, from Triple Crown Corporation. The motion passed unanimously.

Discussion took place relative to the site grading that has commenced at the Avery Square site. According to the letter received by the Board today, "Manheim Crown requests a waiver of Section 22-304 of the SLDO, "Improvement Construction Plan," in order that it might proceed with grading activities on the property prior to recording the Land Development Plan and without processing an Improvement Construction Plan." Mark DiSanto and Charles Courtney requested the construction be allowed since approvals have been given and there are just a few items left before the Plan is recorded.

A motion was made by R. Krause, with a second by R. Landis, to deny the request for a waiver of Section 22-304 of the Township's Subdivision and Land Development Ordinance. The motion passed unanimously.

Consent Agenda

- A motion was made by R. Landis, with a second by G. Stevens to approve the October 24, 2022 Budget Meeting Minutes as presented. The motion passed unanimously.

A motion was made by R. Landis, with a second by T. Walsh to approve the October 24, 2022 Meeting Minutes as presented. The motion passed unanimously.

- A motion was made by G. Stevens, with a second by R. Krause, to approve the Treasurer's Reports and the payment of invoices. The motion passed unanimously.
- Communications – The Board acknowledged receipt of a Thank You Letter from Northwest Emergency Management Medical Services and a newsletter from Stewart Capital.

▪ Reports

Building, Zoning, and Property Maintenance – M. Reeser submitted his monthly report to the Board and noted that the owner of 225 Northview Road has submitted an amended zoning permit application. Also, the Staff recommendation for the Zoning Hearing Board Case scheduled December 14, 2022 was provided to the Board.

Planner – J. Tulonen presented her monthly report to the Board and highlighted the following items:

- The November Planning Commission meeting had a briefing item of the Nissley Farm Lot-Add On plan.
- The Ag Security Advisory Committee met to discuss The Farmer Appreciation Event that will be held on February 2, 2024. A thank you was given to Gary Stevens for providing pictures to be used.
- The trees that were planted in the stormwater basin at Doe Run Elementary School were removed last week.
- A sketch plan meeting with Manheim Central School District took place. They are proposing to transition a few sport fields to different sport fields and add turf. They are also proposing a new parking area at Doe Run Elementary School.

Sewage Enforcement Officer – The Board acknowledged receipt of the report sent by Len Spencer.

Public Works – Daryl Lefever presented his monthly report to the Board and highlighted the following items:

- C.M. High is installing traffic signal poles at the Fruitville Pike / Temperance Hill Road intersection. Danella Line (Windstream) has yet to start moving all of the Windstream lines to the new poles. D. Lefever met with them. The base paving is done. There was an email from Farhat concerning costs to re-open and close the roads again. A more detail and itemized list will be presented at the next meeting. It is anticipated the roads will be open December 5th and traffic signals will be bagged until Spring.
- Sweetbriar Development paving is completed and there still are a few items needed to finish.
- Compliance plans should be received next week for the Pleasant View Community Cultural Center.
- Discussion took place relative to emailing residents about road closures within the Township. D. Lefever explained this is being done for emergency and necessary contacts. However, road closures are posted on the Township website.

Manger – M. Hiester presented his report to the Board and noted that he has spoken to the insurance company about the Workers Compensation Panels.

Adjournment

A motion was made by R. Landis, with a second by R. Krause, to adjourn the meeting at 8:40 p.m. The motion passed unanimously.

Respectfully Submitted,
Connie Weidle
Recording Secretary