

The Board of Supervisors met at the Township Office Building for their regular meeting on May 21, 2015, 7:30PM with Lowell Fry & Duane Martin present. The meeting was called to order by the Chairman and followed with the Pledge of Allegiance.

The Minutes of the May 7th Meeting were distributed. Mr. Martin made a motion to approve the Minutes as presented; second by Mr. Fry. All voted in favor.

POLICE REPORT

Chief Joe Stauffer presented the April 2015 stats that included 34 traffic tickets, 3 non-traffic tickets, 7 criminal arrests, 33 warnings, 58 incident reports and 18 traffic accidents. There was a 54% clearance rate in April. Chief Stauffer reported on a fatal crash that occurred April 18th. He also explained a Click It or Ticket Grant that PennDOT is funding for those areas in the township that have had reportable crashes with injuries or deaths where the occupant was not wearing a seat belt. The grant was made possible because the officers have submitted accurate and timely crash data.

Paul Hann of Canterbury Drive asked Chief Stauffer how fast motorists have to travel on Elmcrest Boulevard before tickets would be issued. Chief Stauffer explained that it is very difficult for his officers to sit and patrol Elmcrest Boulevard because of the speed bumps. Mr. Hann also asked when cars will be ticketed that are parked in the "No Parking" areas. Chief Stauffer said that checking for parking violators is low on their list of priorities but he encouraged residents to give them a call when they see someone is parked illegally.

PUBLIC COMMENTS

A group of men representing the Hampton Inn on Lebanon Road addressed the Board to discuss a legal dispute concerning the Hampton Inn's use of the PA Renaissance Faire's sewage treatment plant. **Prakash Bhoola** said they are seeking help from the Board because there has been a court order demanding them to cease use of the treatment plant as of June 1. He said if the Hampton Inn has to close their doors, the families of 30 employees will be out on the street. **Jasen Book** of Liberty Environmental explained to the Board all that has been happening. He said Hampton Inn is working on getting a DEP Permit in order to place a frack tank on their property that would need to be pumped out daily. He said they are willing to build their own plant but that takes a long time. Mr. Fry feels this is a matter that the Hampton Inn and PA Renaissance Faire has got to get together and figure out. He does not want another treatment plant in that area. The township could take over the present treatment plant according to the agreement that was put into place when it was built, but the Board really does not want to have to do that. He said if the township takes over the operation of the treatment plant it will get built to the appropriate size and those using it will have to pay to make that happen making the operating expenses considerably more than what they currently are. Mr. Book feels the current plant is sized appropriately and has sufficient capacity.

Mr. Martin asked why the judge ordered them to cease and desist. **Rex Jariwala**, representing the Hampton Inn, said this has been going on since November 2014. He said the volume of waste generated by the hotel is not as high as what the plant operator believes. Mr. Book said the PA Renaissance Faire was using the wrong formula when giving the figures to the court which grossly overestimated the amount of waste going into the treatment plant from the hotel. Mr. Jariwala said if the hotel would generate more than 10,000 gallon/day they propose that it goes into the frack tank. He said they have a water input meter and they have data from the last 2 years. He says there has been a change of operation management of the treatment plant and that is when the problems began. Mr. Fry explained to the men that the township cannot resolve their dispute with the PA Renaissance Faire.

Raj Jariwala, representing the Hampton Inn, said the hotel has always trusted the numbers that the PA Renaissance Faire told them concerning the number of gallons being pumped into the treatment plant. He said the hotel's numbers have not changed over the years but the PA Renaissance Faire has grown in the last 3-4 years.

Mr. Fry said he appreciates this group taking the time to come and talk with the Board. His preference would be that they figure out a solution themselves. He doesn't want another plant in the area and he doesn't want the township to have to take over and run the current treatment plant. He said the Board is responsible for the health and safety of its citizens. Mr. Martin said he agrees with Mr. Fry and would like the Hampton Inn and PA Renaissance Faire to work this out.

Bob Becker of Buckwalter Road had questions about the operation of the chicken houses on Kerek Musser's property at 2604 Hossler Road. Mr. Fry told Mr. Becker that a Stormwater Management Plan has been approved for Kerek Musser. Mr. Becker has a problem with the 24 exhaust fans that face his property. He said the air flow does not stop at the property line. Mr. Fry said the building permit that was obtained for the construction of the chicken house was properly approved.

Nelson Ginder of Longenecker Road asked if the Board approved a bike race allowing them to close Garfield Road. He wasn't sure of the date but said it might have been May 3rd. He said the road was closed for an hour or two. Mr. Fry said the Board does not typically approve a bike race that would close off roads. When they have allowed a road to be closed the residents are all to be informed about it by letter beforehand.

Joshua Deering questioned the traffic light cycle at Route 230 and Elmcrest Boulevard. He said the light always trips when a car approaches on Elmcrest Boulevard and this causes a back-up of traffic on Route 230. Township Manager Sara Gibson said she received complaints a year ago and the township upgraded the signal to current standards. Currently Mount Joy Borough and PennDOT are working at synchronizing that light with the other lights on Main Street.

Mr. Dearing asked what plans are being considered for the Mount Joy Road and Lefever Road intersection. Mr. Fry said the intersection does not meet warrants for a traffic light. The Board has looked at other options including a round-about which also did not work out. Other improvements for Lefever Road that are being considered include widening and lifting the road a little when the culvert is replaced.

CHAIRMAN'S COMMENTS - None

PLANNING

FINAL APPROVAL:

Corey L. and Robbin L. Kreiser Lot Add-on plan #15-285

5590 Elizabethtown Road

Diehm and Sons, consultant

The applicants own two adjacent properties at 5590 Elizabethtown Road (2.971 acres) and 5606 Elizabethtown Road (1.382 acres). The objective of this plan to is to separate a .393 portion of the 2.971 acre lot and annex it to the adjacent lot. The plan would eliminate an existing commercial building's encroachment from the smaller lot onto the larger lot. Both properties are located in the Agricultural Zoning District and are served by on-lot water and sewer systems. No construction is proposed.

MODIFICATIONS:

A. Section 602.7.A – Right-of-Way and Cartway Widths and Construction Standards

The applicant has requested a modification of the requirement to provide additional right-of-way along Elizabethtown Road (SR 4008). No alternative is provided.

At their meeting on April 6, 2015, the Township Planning Commission recommended approval of this modification based upon the justification provided as it relates to this application.

CONDITIONS:

ZONING

1. *The applicant needs to verify if there is an apartment above the existing garage on Lot 2.*

SUBDIVISION AND LAND DEVELOPMENT

1. *The applicant needs to verify the numbering of the notes listed on Sheet 1 of 2 and re-number accordingly. In addition, any labels on Sheet 2 of 2 that reference any notes need to be revised (§ 403.1.A).*
2. *The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests needs to be included on the plan (§ 403.2.I, 403.4.J).*
3. *An access and maintenance agreement, in a recordable form acceptable to the Township, needs to be provided for the shared access drive between the two (2) Kreiser lots and the driveway and clear sight triangle located on the Bollinger property (§ 403.4.D).*
4. *The location of the percolation holes, deep probe holes, and replacement area easement(s) need to be provided for each lot to be served by an on-lot sewage absorption system. In addition, the replacement sewage absorption area note needs to be included on the plan (§ 403.4.M, 403.4.N, 611.C.2, 611.C.3, 611.C.4.b).*
5. *All certificates need to be completed prior to recording the plan (§ 403.5, 405.3, 406.1).*
6. *For all lot add-on plans, a new deed must be recorded which contains either: 1) a description of the parcels joined together into one new tract; or, 2) legal descriptions for the parent tract and the added tract(s) on the same deed, with a note that states, "These tracts are hereby joined as one and no single tract can be sold separately without the submission and final approval of a new subdivision plan."*
7. *We note that the plan has been revised since the last submission dated March 23, 2015, however, a revision date has not been added to the plans. A revision date needs to be added to the plans.*

There was some discussion on the access drives. **Mr. Martin made a motion to approve the Corey L. and Robbin L. Kreiser Lot Add-On Plan #15-285 with conditions and modifications as stated; second by Mr. Fry. All voted in favor.**

Mr. Martin made a motion to approve the Driveway Easement Agreement, Emergency Access Agreement and Stormwater Maintenance Agreement for A & M Hardware at 1165 Strickler Road; second by Mr. Fry. All voted in favor.

OLD BUSINESS

Dog Park Update - Mrs. Gibson showed the Board the proposed landscaping plan for the dog park. The proposed plan contains pretty thick landscaping. Mr. Martin wondered if it separates the dog park from the rest of the park too much. Mr. Fry asked Mrs. Gibson to review the plan with Chief Stauffer to look at it from a safety aspect. The Board would like to see it more as beautification rather than shielding.

NEW BUSINESS

Mrs. Gibson distributed a copy of a sample sidewalk ordinance from another municipality. Currently the only responsibility the homeowner has for the sidewalk in front of their house is to shovel the snow off, not to make repairs. Mr. Fry thinks something needs to be put into place and asked Mrs. Gibson to move forward in gathering information to create a sidewalk ordinance for Rapho.

Mr. Martin made a motion to approve a request for a Fireworks Permit for Timothy Good to be used at 706 Milton Grove Road on June 26, 2015; second by Mr. Fry. All voted in favor.

Mrs. Gibson reported that she attended the groundbreaking ceremony for the Northwest Ambulance facility to be located in Manheim Borough.

CORRESPONDENCE

Manheim Library Director's report

Lancaster County Planning Commission – East Hempfield Zoning Ordinance amendment to be considered 5/26

Lancaster County Planning Commission – Mount Joy Township Zoning Ordinance amendment to be considered 5/26

Mount Joy Township summer newsletter

Mount Joy Borough Authority Annual Report

District Attorney of Lancaster County – 1st quarter Drug Task Force Report

Lancaster County Planning Commission – Elm Tree Phase 5C plan to be considered 6/8

Northwest Emergency Medical Services – April report

APPROVAL OF THE DISBURSEMENT LIST - Mr. Martin made a motion to approve the disbursement list and pay the bills; second by Mr. Fry. All voted in favor.

Mrs. Gibson reported that a Shred-It Event is being planned for August 1, 2015. Penn Township, Manheim Borough and Rapho Township would each pay \$400 for 3 hours of service.

There being no further public business or public comments, the meeting adjourned at 9:00PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary