

West Earl Township Board of Supervisors, 157 West Metzler Road, Brownstown, PA 17508

In Attendance:

Chairman:	Harold Keppley, Jr.	Member:	Russell Ressler, Jr.
Vice Chairman:	John Ford	Secretary/Manager:	Patrick Barrett
Member:	Dale Wissler	Solicitor:	William Crosswell
Member:	Richard Stover		

Call to Order

Chairman Keppley called the September 28, 2009 meeting to order at 7:02 p.m.

PUBLIC HEARING

Lancaster General Hospital proposed rezoning and zoning ordinance amendment

Proof of Publication and Coorespondence

Chairman Keppley confirmed that the Board members had copies of the proof of publication of the Public Hearing, coorespondence from the Lancaster County Planning Commission, Upper Leacock Township, the Conestoga Valley School District, Coalition of Smart Growth, East Lampeter Township and Ephrata Township.

Lancaster General

Joe Donaldson gave a brief introduction to the proposed zoning amendment petition then turned it over to Lancaster General's Solicitor, Caroline Hoffer, to provide additional information relating to the petition. Lancaster General has proposed to rezone a 68 acre tract of land located at Rt 222 and Rt 322 from C-2 commercial to Professional Enterprise District which would allow for a Hospital. Text from the proposed zoning ordinance will be added to the current zoning ordinance to provide for a Professional Enterprise Zoning District and add definitions for a Hospital or Medical Center and Conditional Use regulations. Ms. Hoffer said that the land has been zoned C-2 commercial since at least 1981 which is the oldest land use map that could be found. Ms Hoffer also said that changing the zoning from C-2 Commercial to Professional Enterprise District would allow for less uses and be more restrictive.

Public Comment

Marilee Schwartz, Meadowview Drive, Leola – Mrs. Schwartz would like to see the land rezoned back to agricultural. Mrs. Schwartz is concerned about the proposed water and sewer lines for the hospital being run through farmland in the Township.

Lee Shertzer, Rosewood Drive, Brownstown – Mr. Shertzer said that LGH is acting like the “Walmart of healthcare” and is against the hospital building a facility in West Earl. He believes it will hurt Ephrata Hospital.

Dan Sweigart, Ephrata Boro resident – Mr. Sweigart's main concern is the water and sewer lines running through 4 or 5 miles of farmland. He believes it is an affront to sound land use planning.

Fred Daum, East Lampeter Twp. Resident – Mr. Daum asked if LGH would still build on the site without it being re-zoned. Mr. Daum is concerned about farmland preservation.

Marianne Perung, Orchard View Drive, Leola – Ms. Perung said that we need hospitals but is concerned about the water and sewer lines for LGH and is against them building a facility in West Earl.

David Zimmerman, 25 Hickory Lane – Mr. Zimmerman is in favor of LGH building a facility in West Earl.

Wilmer Hurst, 38th Div. Hwy, Ephrata – Mr. Hurst is in favor of LGH – it is the only corner of that area that isn't developed.

Mel Wenger, Ephrata Twp. Resident – Mr. Wenger said that LGH is offering nothing new, why do we need another medical facility? Mr. Wenger believes that the County has adequate medical facilities.

Stacey Jordan, Church Street, Brownstown – Ms. Jordan believes that we shouldn't be telling what the farmers should do with their land.

Marilee Schwartz, Meadow View Drive, Leola – Mrs. Schwartz spoke about her concerns that the facility would bring more air pollution to the area.

Joe Donaldson, LGH Representative – Mr. Donaldson said that LGH is sensitive to agricultural preservation.

Caroline Hoffer, Solicitor, LGH – Ms. Hoffer said that the water and sewer lines have not entered the planning stage but are set to go through the road right-of-way and not farmland.

Chairman Keppley closed the public comment period at 8:32 p.m.

Consideration of Ordinance No. 206 – amending the West Earl Township Zoning Ordinance of 1970, to change the zoning classification of a 68.664 acre tract of land on the south side of PA Route 322, Division Highway, from C-2 General Commercial District to Professional Enterprise District, and to amend the text of the Zoning Ordinance to provide for a Professional Enterprise Zoning District; to add definitions for Hospital or Medical Center, Recreation Club, Recreation Facility and Regional Impact Development; to add Professional Enterprise Zoning District to the sign regulations; to add supplementary regulations for Hospitals and Medical Centers, Medical, Dental, Vision Counseling and Health Care Services, Recreation Clubs, Recreation Facilities and Playgrounds, Regional Impact Development in the Professional Enterprise District, Satellite Communication Center, Schools and Educational Uses in the Professional Enterprise District; and to add Conditional use regulations to the Zoning Ordinance. Moved by Member Wissler, second by Vice-Chairman Ford to adopt Ordinance No. 206. Motion approved unanimously.

Chairman Keppley called for a 10 minutes recess at 8:40 p.m.

The regular Board of Supervisors meeting reconvened at 8:55 p.m.

Public Comment

None

Approval of Minutes

Vice-Chairman Ford noted that on page 3 of the September 14, 2008 minutes, the Comcast Cable Franchise Agreement vote, the motion was made by Member Stover, seconded by Member Ressler to accept the Comcast Cable Franchise agreement. Chairman Keppley-yes, Member Wissler-yes, Vice-Chairman Ford-no. Motion passed with a 4-1 vote. Moved by Vice-Chairman Ford, second by Member Stover to approve the September 14, 2008 meeting minutes as corrected. Motion approved unanimously.

Subdivision/Land Development

Whispering Hope development agreements – The agreements will be voted on later in the meeting in order to give the Board a chance to review agreement documents.

Groffdale Mennonite Church mylar signatures – Moved by Member Wissler, second by Member Ressler to sign the Groffdale Mennonite Church mylars. Motion approved unanimously.

Warrington Subdivision (East Lampeter Township) – Review for consistency with the Joint Comprehensive Plan. This plan relates to the Greenfield Corporate Center which is owned by High Properties and located in East Lampeter Township. The proposed zoning ordinance amendment would rezone the land at the Greenfield Corporate Center to Campus Mixed Use. The Board of Supervisors and the Planning Commission at Upper Leacock Township has reviewed the proposal and determined that it is generally consistent with the Joint Comprehensive Plan. The Board reviewed the proposal. Moved by Vice-Chairman Ford, second by Chairman Keppley to find the Warrington

Subdivision proposed zoning ordinance text amendment generally consistent with the Conestoga Valley Joint Comprehensive Plan. Motion approved unanimously.

Whispering Hope development Agreements – Storm Water Management, Holding Tank, Escrow and Small Flow Treatment System agreements. The Board reviewed the agreements. Moved by Chairman Keppley, second by Member Wissler to sign the Storm Water Management Agreement, Holding Tank Agreement, Escrow Agreement and the Small Flow Treatment System Agreement for the Whispering Hope development. Motion approved unanimously.

New Business

Resolution No. 2009-18 – setting the minimum municipal obligation for the Police Pension Plan. Moved by Vice-Chairman Ford, second by Chairman Keppley to adopt Resolution No. 2009-18. Motion approved unanimously.

Resolution No. 2009-19 – setting the minimum municipal obligation for the Non-uniform Pension Plan. Moved by Vice-Chairman Ford, second by Member Wissler to adopt Resolution No. 2009-19. Motion approved unanimously.

Police Chief's Report

Sonic left turn update – Chief Brandt reported that there were some plans in 1994 to put in a left turn lane at the Sonic entrance along Oregon Pike. Penn Dot is still looking into the situation. Jim Houser mentioned the open permit that still exists for the Home Depot intersection and that that could help to resolve the Sonic left turn situation.

Fire Police requests – The West Earl and Farmersville Fire Police received several requests for help at local events.

Rothsville Halloween Parade - Moved by Member Stover, second by Vice-Chairman Ford to grant the request for help at the Halloween parade in Rothsville on October 23, 2009. Motion approved unanimously.

Akron Halloween Parade – Moved by Member Ressler, second by Vice-Chairman Ford to grant the request for help at the Akron Halloween parade on October 21, 2009. Motion approved unanimously.

Manheim Township Jingle Bell Run – Moved by Chairman Keppley, second by Member Wissler to grant the request for help at the Manheim Township Jingle Bell Run on December 13, 2009. Member Stover-yes, Member Ressler-yes, Vice-Chairman Ford-no. Motion passed with a 4-1 vote.

Public Works Director's Report

- **School Signs** – Penn Dot will be generating a letter to the Township. It will be the Township's responsibility to install and maintain the signs.
- **5 points intersection** – Mr. Houser is waiting to hear back from Penn Dot.
- **Park Restroom project** – Rettew laid out the flood plain area at the park in Talmage. Mr. Houser said that rather than purchase property next to the park to build the new restroom it is more feasible to build the restroom on the highest point in the park and raise it up 3ft. Mr. Houser distributed copies of a plan that showed the flood plain. Member Stover asked if there would still be trouble with the grant money. Mr. Houser said that if the building is raised 3ft, there will be no trouble with the grant. Mr. Barrett said that he got the sense that the Township is on the right track from Brian Kauffman but will talk to him directly to find out. Mr. Houser is hoping to have some plans for the restroom at the next meeting
- **Compost site gating system** – Mr. Houser distributed a price list for the Board members to review. The prices are just for the parts – the Township would be taking care of the installation. It would be a card system that would accept pre-paid cards and credit and debit cards. The Board asked what the maximum number of cards would be. Mr. Houser will find out and report at the next meeting. Chairman Keppley asked if a representative from the company would be willing to come to a meeting to answer questions. Mr. Houser will ask a representative to attend the next meeting.
- **Pedestrian crosswalk signs** – Mr. Houser reported that the Township is supposed to receive two signs but has not received them yet.

- **LCCTC** – The students from Lancaster County Career and Technology Center’s IU13 group will be doing some beautification work at the Township building on Tuesday, September 29, 2009.

Manager’s Report

The annual county convention will be held Monday, November 2, 2009 from 8am until noon at Yoder’s Restaurant. Mr. Barrett asked which Board members would like to attend. Chairman Keppley, Vice-Chairman Ford and Member Stover will attend. Member Ressler and Member Wissler will check their calendars.

Payment of Bills

Moved by Chairman Keppley, second by Member Stover to pay the bills as presented. Motion approved unanimously.

Supervisors’ Comments

Dale Wissler – Member Wissler congratulated Chairman Keppley on a well run meeting.

Richard Stover – Member Stover said that \$1,640 is a lot of money for the building inspector to charge to inspect a small Amish school house. Member Stover asked how it could cost so much. He believes that someone got ripped off and asked if the Township could do something about it. Member Stover would like to talk to the inspector. Vice-Chairman Ford agreed and would also like to speak to the building inspector. The Board could do it in an executive session.

The next meeting for Upper Leacock, East Lampeter and West Earl Townships will be held at West Earl on October 21, 2009.

Member Stover asked if a get well card was sent to Wally Wanner. Mr. Barrett said that one had been mailed to Mr. Wanner.

Harold Keppley - Chairman Keppley asked when the bids for the trash contract will be distributed. Mr. Barrett said that they will be distributed on October 12, 2009.

Public Comment

Chairman Keppley re-opened public comment at 10:25 p.m.

Joe VanMarter – Mr. VanMarter thanked the Board for waiving the electrical permit fees for the residents in Talmage that will be hooking up to public sewer.

The Board members discussed upcoming meeting dates. The November meeting will be on the 9th and 16th. The December meetings will be on the 7th and the 21st.

Chairman Keppley said that the several Boards Members terms will expire this year and they should begin to look at some people who could fill the vacancies.

Adjournment

Moved by Vice-Chairman Ford, second by Chairman Keppley to adjourn the September 28, 2009 meeting at 10:31 p.m.