

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

In Attendance:

Chairman:	John Ford	Member:	Keith Kauffman
Vice Chairman:	Harold Keppley	Member:	David Thornton
Member:	Richard Stover	Township Solicitor:	Josele Cleary

Call to Order

Chairman Ford called the May 21, 2018 regular meeting to order at 7:00 p.m.

Approval of Minutes

Member Thornton noted an addition that should be made to the May 14, 2018 meeting minutes. Under Benita Gauthier's public comment the Code Enforcement Officer made note of the complaint & would investigate. Moved by Member Thornton, second by member Stover to approve the May 14, 2018 meeting minutes as corrected. Motion approved unanimously.

Public Comment/Guests

- **Brian Spohn, 138 E. Main Street** – Mr. Spohn said he was told that all parking on East Main Street is going to be eliminated and asked the Board why. He said he has only one parking space at his property and wanted to know what he was supposed to do if he has visitors. He said there would be nowhere for them to park. Chairman Ford said that part of the East Main Street sidewalk project the street would be narrowed and parking would be eliminated. Vice Chairman Keppley said the street would be narrowed but there would be parking on one side of the street. He said that if the plans have changed he's not aware of it. Chairman Ford said he will ask the Township Manager to contact Mr. Spohn to further discuss this matter.
- **Ann Weaver, 129 N. Conestoga Lane** – Mrs. Weaver explained that she lives on a private lane and would like to know the best way to proceed in getting the private lane repaved. Solicitor Cleary said there may be a document from years ago that says who is responsible for the maintenance of the private drive. Ms. Cleary recommended that Mrs. Weaver check the title search documents from when the property was purchased. Ms. Cleary stated that the Township cannot do any work on private property.

New Business

1. **Bobby Rahal Plan** – Sidney Kime from ELA Group presented an overview of the Bobby Rahal land development plan to the Board. The plan consists of 3 lots that total approximately 19 acres. Lot 1 is 11 ½ acres, lot 2 is 2 ¾ acres and lot 3 is approximately 3 acres. The proposed project includes a 48,000 square foot auto sales and service facility on lot 1, with stormwater facilities and an access street which will connect to Oregon Pike at Church Street. Businesses for lots 2 and 3 have not yet been proposed. Mr. Kime said that the traffic study is currently being reviewed and the HOP is in the process of being issued. Mr. Kime said they are requesting conditional plan approval based on the May 14th Becker Review letter. The Planning Commission recommended conditional plan approval at their May 15th meeting.

Moved by Member Kauffman, second by Member Thornton that the Board of Supervisors grant the following waivers and deferrals in connection with the Final Land Development Plan for Bobby Rahal Automotive Group, prepared by ELA Group, Inc.:

1. Subdivision and Land Development Ordinance Section 155-9 requiring submission and approval of a preliminary plan prior to submission of a final plan.

2. Subdivision and Land Development Ordinance Section 155-21.B to allow a plan scale of 1 inch equals 40 feet instead of 1 inch equals 50 feet.

3. Subdivision and Land Development Ordinance Section 155-23.C(1) to reduce a collector street right-of-way width from 60 feet to 50 feet and to reduce the collector street cartway width from 40 feet to 34 feet.

4. Subdivision and Land Development Ordinance Section 155-23.F(2)(b) to reduce the minimum centerline street radii for a collector street from 450 feet to 250 feet.

5. Subdivision and Land Development Ordinance Section 155-23.H(6)(b) to reduce the street curb radii for access drive intersections with a collector street from 30 feet to 20 feet at the first access drive to Lot 1.

6. Subdivision and Land Development Ordinance Section 155-23.J(3) to permit a temporary cul-de-sac street with a length of 1,033 feet.

7. Subdivision and Land Development Ordinance Section 155-32.C(5) to reduce the curb reveal from 8 inches to six inches outside of the street right-of-way.

8. Subdivision and Land Development Ordinance Section 155-32.D(2) to defer installation of sidewalks along the Oregon Pike and Burkholder Drive frontages of Lots 2 and 3 until a land development is proposed for such lot.

9. Storm Water Management Ordinance Section 149-37.C(1)(a)[3] to permit the use of RCP pipe and use reinforced concrete pipe, both circular and elliptical, in areas where the minimum Township standard for pipe cover is not met.

10. Storm Water Management Ordinance Section 149-37.C(1)(a)[4] to permit the use of 12 inch pipe as the minimum diameter in the vehicular loading areas outside of the public right-of-way in lieu of 15 inch diameter pipe.

With all waivers subject to the following conditions:

A. The design of primary roadway, stormwater, water and sanitary sewer infrastructure for Lots 1, 2 and 3 shall be included on the Plan.

B. Parking shall be prohibited on both sides of Burkholder Drive, and the developer shall be responsible for the costs of developing and enacting a no parking ordinance and obtaining and installing the necessary signage.

C. Burkholder Drive shall be constructed with increased pavement depths as recommended by Traffic Planning & Design, Inc. in the letters dated March 19, 2018, and May 9, 2018, and shall be extended to the property boundary to the north.

D. Safe stopping distance shall be provided at all intersections with proposed driveways and access drives.

E. The second access drive intersection from Lot 1 to Burkholder Drive shall meet all requirements of the Subdivision and Land Development Ordinance.

F. The access drive intersection for Lot 2 and Burkholder Drive shall meet all Subdivision and Land Development Ordinance requirements.

G. The curb height within Burkholder Drive shall have a curb reveal of 8 inches.

H. Applicant shall enter into a recorded agreement in a form acceptable to the Township Solicitor concerning the future installation of the sidewalks along the street frontages of Lots 2 and 3.

I. The sidewalk along the Oregon Pike frontage of Lot 2 shall be included in the Highway Occupancy Permit application for improvements to Oregon Pike, the Burkholder Drive intersection, and the Lot 1 improvements.

J. Pennsylvania Department of Transportation pipe cover requirements for paved surfaces and manufacturer specifications for the proposed pipe shall be met.

K. All proposed 12 inch pipes outside of the street right-of-way shall meet minimum cover requirements and shall adequately convey the 100 year peak flow event.

Motion approved unanimously.

2. **Transition to Community Agreement** – Agreement to extinguish a note on an old subdivision plan. The agreement has been reviewed by the Solicitor. Moved by Vice Chairman Keppley, second by Member Thornton to sign the sign the Agreement with Transition to Community to extinguish a note on the old subdivision plan for their properties on School Lane Avenue. Motion approved unanimously.
3. **Roll & Stroll bike ride** – Moved by Member Thornton, second by Member Stover to approve the use of Township roads for the Roll & Stroll bike ride on June 10, 2018. Motion approved unanimously.

Payment of Bills

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

Supervisors' Comments

Dave Thornton – Member Thornton said that in the interest of full disclosure he wanted to let the Board members that his name will appear on the next monthly report from Chief Brandt. He said he drove through the Schaum's Corner intersection with his windshield wipers on and his headlights off.

Solicitor Josele Cleary requested an executive session to discuss legal matters relating to Ordinance enforcement.

The Board entered executive session at 7:45 p.m. The Board returned to their regular session at 8:16 p.m.

Adjournment

Moved by Member Thornton, second by Vice Chairman Keppley to adjourn the May 21, 2018 regular meeting at 8:17 p.m. Motion approved unanimously.