

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	Manager/Secretary:	Candie Johnson

Call to Order

Chairman Ford called the June 25, 2018 regular meeting to order at 7:00 p.m.

Approval of Minutes

Chairman Ford noted two changes to the June 11, 2018 meeting minutes. Page 2, number 8, the words “and into” should be removed from the 7th line. Page 3, Manager’s Report, 5th bullet point, Ms. Johns should be changed to Ms. Johnson. Moved by Chairman Ford, second by Member Stover to approve the June 11, 2018 regular meeting minutes as corrected. Motion approved unanimously.

Public Comment/Guests

MS4 Program Update – Sara Service, Stormwater Coordinator, gave an overview of the Township’s MS4 program progress for the past year. Ms. Service stated that the annual report cycle will end on June 30, 2018.

Minimum Control Measure 1 - Public Education

- Updated website and Facebook with new stormwater articles throughout the year. Created two new pages on the website. One for illicit discharges and one for the adopt-a-drain program.
- Distributed 300 stormwater activity booklets to kindergarten through third graders at Brownstown Elementary. Distributed 20 of the same booklets to participants in the compost workshop on May 19th.
- Mailed construction site stormwater pollution prevention flyers to 30 local builders and contractors.
- Stormwater articles published in newsletters 4 times this year.
- 4 new brochures added to the lobby.

Minimum Control Measure 2 - Public Participation

- Lititz Mennonite School trash-a-thon – students collect trash from along roads in the Township.
- CV students participated in the earth day event at the park – Flowers were planted and a truck load of sticks and yard debris was collected.
- Conestoga River Cleanup - sponsored by the Lancaster County Conservancy. Volunteers gathered at different areas throughout the county to clean up garbage and debris from creeks and streams. Two of the areas included were the Lions’ Park and the Sylvan B. Fisher park.
- Started adopt-a-drain program in April – 4 volunteers so far.

Minimum Control Measure 3 - Illicit Discharge Detection & Elimination

- All outfalls have been mapped in CS Datum and any future observations will be documented in that database.
- BMPs will continue to be inventoried in CS Datum. There are currently 42 mapped in the database.
- Prohibited discharge regulations will continue to be enforced.

Minimum Control Measure 4 - Construction Site Runoff

- Compliance with our NPDES permit is addressed by plan reviews and inspections done by the Lancaster County Conservation District.

Minimum Control Measure 5 - Post-construction Site Runoff

- Stormwater management ordinance is enforced for development.
- Inventory of BMPs has been created dating back to 2003.
- Township enforces maintenance of BMPs through stormwater management agreements.

Minimum Control Measure 6 - Municipal Good Housekeeping & Training

- Structure built to house Township equipment
- Spill kits have been purchased for the shop and portable kits purchased for the trucks
- Stormwater pollution training video with Township staff.
- Workshop at Landis Homes - Inspecting & maintaining stormwater BMPs – toured facility – hosted by the Lancaster Clean Water Consortium. Highlight was floodplain restoration they did.
- Watershed conference in Bethlehem PA – one discussion item included “rain tax” or stormwater utility.
- PABCO conference – one of the sessions was on MS4 program and Code Enforcement.
- Certified Stormwater Inspector training in Harrisburg.

Pollutant Reduction plan:

- The pollutant reduction plan was completed and submitted to DEP in September 2017. The 5-year plan includes projects, like basin retrofits and channel stabilization which will help reduce the pollutants that enter the Chesapeake Bay. The John Hoover channel stabilization project will be the first project we plan to tackle.

Moving Forward/Goals for next year

- Draft a Spill Response and Control plan
- Purchase test kits for illicit discharge testing and develop sampling procedures and training
- Continue to solicit volunteers for the adopt-a-drain program
- Develop procedures for inspections of existing BMPs.

Member Thornton asked which project for the pollutant reduction plan would offer the largest payoff. Ms. Johnson stated that the Hoover project will reduce the sediment load by 44,000 lbs. The total reduction requirement for the 5-year period of the plan is about 81,000 lbs.

New Business

1. **Fairmount Homes’ agreement & park and recreation fees** – Joyce Gerhart from RGS Associates addressed the Board to discuss the park & recreation fees for the Fairmount Homes project. Ms. Gerhart said the fee was calculated using the County’s assessed value for the property. The price per acre is \$34,754 which would make the park and recreation fee \$62,557. Ms. Johnson said she reviewed the ordinance to make certain the fee was being calculated correctly. She said she also asked the Township’s Attorney to review it. Ms. Gerhart said Fairmount Homes would ask the Board to reconsider allowing them to use the existing library, which is on 1 acre, in the calculation of the fee. Member Thornton said he is in favor of staying consistent with the calculation and doing it the same as it’s been done in the past.

Ms. Johnson said this is the same as it's been done previously. Chairman Ford expressed concern about using the correct figure for the price per acre and also said he is uncomfortable using pre-existing conditions, such as the library, in the calculation for the fee. Ms. Johnson explained that the ordinance allows for the use of fair market value of the property by means of a recent appraisal or a sales agreement that has been done in the last two years. She further explained that neither option is available for the property so the assessed value, provided by the Lancaster County Assessment Office, was used in the calculation. Moved by Chairman Ford, second by Member Stover to set the park and recreation fee for the Fairmount Homes project at \$62,557. Motion approved unanimously. Moved by Member Kauffman, second by Member Thornton to approve the stormwater management agreement for the Fairmount Homes project. Motion approved unanimously.

2. **2017 Audit** – Moved by Chairman Ford, second by Vice Chairman Keppley to accept the 2017 audit report from Brown, Shultz, Sheridan & Fritz. Motion approved unanimously.
3. **Scott Monger plan agreements** – Moved by Member Kauffman, second by Vice Chairman Keppley to sign the agreements for the Scott Monger plan. Motion approved unanimously.

Chairman Ford called for a recess of the regular meeting at 7:39 p.m.

Chairman Ford called to order the public hearing for the rezoning of 391 E. Main Street at 7:40 p.m.

New Business

1. **Public Hearing**

Ordinance 242 – An Ordinance to amend the West Earl Township Zoning Map by rezoning 32.8 acres of land located on at 391 E. Main Street, tax parcel # 210-76747-0-0000, West Earl Township from Agricultural to Industrial.

MM Weaver has submitted a petition for rezoning 391 E. Main Street from Agricultural to Industrial. Attorney Dwight Yoder from Gibbel, Kraybill & Hess presented an overview of the petition.

Mr. Yoder stated that MM Weaver needs to expand and their current property is not conducive to that expansion. MM Weaver proposes purchasing the property at 391 E. Main Street and rezoning the AG property to industrial. Mr. Yoder said the location is ideal because there is good access to Route 23 and Butter Road and is surrounded by existing commercial and industrial properties. He stated 391 E. Main Street is the right location and the right use for this property.

Member Thornton asked if MM Weaver will continue to use their current property. Mr. Yoder stated no and further explained that the owners have not decided what will be done with the building on their current property.

Public Comments

Leon Rutt – Mr. Rutt stated that he's worked for MM Weaver for 36 years and feels that making these changes would be an asset by allowing MM Weaver to continue to serve the farmers in the community.

Richard Gauthier – Mr. Gauthier asked what percentage of MM Weaver's business is local. Eugene Hurst, MM Weaver's General Manager, said that the business does not service outside the Lancaster County area.

Chairman Ford closed the public hearing at 7:47 p.m.

Moved by Member Thornton, second by Vice Chairman Keppley to adopt Ordinance Number 242. Motion approved unanimously.

2. **Lavern Hoover Stormwater Plan** – Dave Mease from Diehm & Sons gave an overview the Lavern Hoover project. Mr. Hoover owns a 53 acre farm at 670 E. Metzler Road and proposes constructing an approximate 4,000 sq. ft. building to be used for a farm support business painting farm equipment and also partially used for his farming operation. Discussion followed relating to installing a new building for a farm support business and the use by right versus the use by special exception. Mr. Mease asked for clarification on items in the May 25, 2018 review letter. One of the items was the riparian corridor requirement. This requirement would result in Mr. Hoover losing 9 acres of his farm. Mr. Hoover asked if the Township would accept 100 ft of a riparian buffer. The Board agreed to get clarification on the riparian buffer from the Township's Engineer. Ms. Johnson will contact Becker Engineering. Moved by Vice Chairman Keppley, second by Member Kauffman to approve the stormwater management plan for the Laverne Hoover project contingent upon the applicant addressing all items in the May 25, 2018 Becker review letter.
3. **Brownstown Commons Resubdivision Plan** – Nick Grandi from RGS Associates gave an overview of the plan. Proposed is the resubdivision of lots 4 & 5 at the Brownstown Commons property. Lot 4 is currently .99 acres and after the resubdivision the lot will be 2.4 acres. Lot 5 is currently 2.63 acres and after the resubdivision the lot will be 1.22 acres. Proposed uses for the lots include a daycare and a medical office. Two waivers have been requested.
 - Moved by Chairman Ford, second by Member Thornton to grant a waiver of plan scale requirements. Motion approved unanimously.
 - Moved by Member Thornton, second by Member Stover to grant conditional plan approval contingent upon the completion of all items listed in the June 5, 2018 Becker review letter. Motion approved unanimously.
4. **Bobby Rahal 90-day extension** – Moved by Vice Chairman Keppley, second by Member Stover to accept the 90-day extension for the Bobby Rahal project. Motion approved unanimously.
5. **LCBC bicycle ride** – Moved by Vice Chairman Keppley, second by Member Thornton to allow the use of Township roads for the LCBC bike ride on August 19, 2018. Motion approved unanimously. Moved by Vice Chairman Keppley, second by Member Thornton to approve the use of the Township's fire police for the LCBC bike ride on August 19, 2018. Motion approved unanimously.
6. **Penn Dot Winter Services Agreement** – Moved by Vice Chairman Keppley, second by Member Stover to sign the Penn Dot Winter Services Agreement. Motion approved unanimously.
7. **Lien settlement for Adams, 152 Brian Drive** – Moved by Member Thornton, second by Vice Chairman Keppley to accept the \$4,380 settlement for liens and utility bills from Dennis Adams, 152 Brian Drive. Motion approved unanimously.

Manager's Report

- **Roadmaster's Report** – Provided to the Board members for their review. Ms. Johnson said there were some additional items the Roadmaster wanted to discuss but she would like to wait until he is back from vacation and can attend the meeting.

- **Sidewalk plan webinar** – Ms. Johnson reported that she attended a webinar to discuss the Township’s sidewalk plan. She said she answered a few questions and the webinar went well.

Code Enforcement Report – Provided for the Board’s review.

Police Chief’s Report – Provided for the Board’s review.

Payment of Bills

Moved by Member Thornton, second by Member Kauffman to pay the bills as presented.

Public Comment

None

Supervisors’ Comments

David Thornton – Member Thornton said he noticed that there will be a bridge closure in Warwick Township along route 772 and asked Ms Johnson if it will effect traffic in West Earl. Ms. Johnson said she hasn’t gotten any information on the closure. Member Thornton thanked Ms. Service for the MS4 program update.

Richard Stover – Mr. Stover asked who’s idea it was to install the yellow fence top protector on the baseball field fence. Ms. Johnson said it was Jordan Levering’s idea to install it and the guys did a good job.

Ms. Johnson reported that the June 16th compost loading day was a huge success and went very well.

Adjournment

Moved by Member Thornton, second by Member Kauffman to adjourn the June 25, 2018 regular meeting at 8:43 p.m. Motion approved unanimously.