

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**January 22, 2014**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Jon Beck, Recording Secretary, and seven citizens.

At a regular meeting held at the township building, Chairman Steven H. Gross, Jr. called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the Flag of the United States of America.

Chairman Gross disclosed that the Board has not met since the last meeting, January 14, 2014, its regular meeting. No minutes are available yet from that meeting.

**Public Comments**

None at this time.

**Land Development/Subdivision –**

Chairman Gross stepped down from the Board as he is part owner of the plan being presented; Vice Chairman Naylor conducted this portion of the meeting.

The plans at hand are for 465 Zions View Road – North York Development LLC, Subdivision Plan for the Gross/Kinsley properties, Lot 2 and Lots 6 and 9A, Reference #11-158-003, dated 8/30/13, Revision #4 dated 1/21/14; AND the Gross Property Industrial Land Development Plan, same reference number, also dated 8/30/13, Revision #4 dated 1/21/14  
Charles Suhr and James Snyder were in the audience on behalf of the applicants.

Subdivision discussion – Open items referred to in Attorney Miller’s letter dated January 23, 2014:

Sewer Authority approval and signatures, Section 208-34.B(18);

Surety for site improvements (amount to be determined by Township Engineer), Section 208-34.C(13)(b);

Erosion and Sedimentation Control Plan approval, Section 208-34.C(9);

Execution and delivery of a Development and Financial Surety Agreement, including a schedule for completion of public improvements approved by the Township Engineer, Section 208-11.B and 2-8-34.C(13);

Execution and delivery of a Stormwater Facilities Maintenance and Monitoring Agreement as approved by the Township Solicitor, SWMO Section 199-27.B;

Correct Note 25, Sheet 3, to add stormwater agreement recording information: “Record Book 1388, page 5354.”

It was noted that the Subdivision Plan has the Engineer’s approval of the storm water management plan.

Requests for waivers –

preliminary plan, Section 208-21.A; sheet size, Section 208-34.A; sheet scale, Section 208-34.A.4; sidewalks along eastern side of Gea Drive -- applicant shall add 6-month-note; and

rec fee on subdivision plan only. Staff had no issues with any of these waiver requests.

Land Development Plan discussion –

Open items:

Sewer Authority approval and signatures, Section 208-34.B(18);

Surety for site improvements (amount to be determined by Township Engineer), Section 208-34.C(13)(b) to be posted before recording the plan;

Erosion and Sedimentation Control Plan approval, Section 208-34.C(9);

Stormwater management plan approval from Township Engineer, Section 208-34.C(10), AND payment of fee into the Township's stormwater maintenance fund in accordance with SWMO Section 208-11.B;

Execution and delivery of a Development and Financial Surety Agreement, including a schedule for completion of public improvements approved by the Township Engineer, Section 208-11.B and 2-8-34.C(13);

Execution and delivery of a Stormwater Facilities Maintenance and Monitoring Agreement as approved by the Township Solicitor, SWMO Section 199-27.B;

Waiver request for street widening requirements for Zions View Road; add to Sheet 1;

Correct Note 33 to reference waiver of sidewalks and street lighting, not curbing;

Remove Note 34 on sheet 3;

Modify Note 35 on sheet 3, to indicate that approved additional access drives are from Bartlett Drive

Waivers requested:

Detention basin max depth (Mr. Trout has no problem with this waiver request) 7.1';

Storm water management facility building setback;

Preliminary plan, Section 208-21.A;

Plan sheet size, Section 208-34.A;

Sidewalk on southern side of Zions View Road:

Widening Zions View Road additional ROW for widening – Mr. Miller noted language indicating the fee of \$600,000 in lieu of future widening; and \$300,000 for future traffic improvements in the area to be paid as well.

Street light and sidewalks on Zions View Road, southern side (six-month note on the plan).

Sidewalks on eastern side of Bartlett Drive (six-month note on the plan)

Add property address (1605 Bartlett Drive) to Sheet 1 of the plan.

Discussion of the \$600K fee in lieu of widening on Zions View Road –what happens in ten years when the money has not been used? Mr. Miller referred the Board to the developer's agreement – it's okay.

The developer offered to move the utility poles back; is that in the Agreement? Or just on the plan? They will show the locations on the plans; plus there will be financial security. Add as a condition to the Land Development Plan.

The HOP notes are on the plan – good enough.

Developer's Agreement discussion – for both Subdivision and Land Development Plans –

Applicant can't sign the Agreement until they own the property.

Section 5 – added six-month note for street lights. Checked to ensure the details/language is on the plans – it is

Section 6 – dedicated ROW Zions View Road – deeds of dedication to be taken at recording; landowner will continue maintenance outside the cartway

Section 7 – fee in lieu of Zions View improvements

Section 8 – traffic signal or other improvement language

Section 10 – exhibits for financial surety – final amounts to be added when information is obtained

Section 13 – rec fee to be paid prior to recording

Section 17 -- assignment provision – Mr. Miller removed the language regarding the “obligations being assigned to transferee.”

Automatic release of current landowners – coordinate closings with signing and recording of Agreements.

Storm Water Facilities Maintenance and Monitoring Agreement – refers to the Land Development Plan only, plus the easements on the northern side of Zions View and the northwestern and northeastern sides of project.

Reference the parcel as 1605 Bartlett Drive in the document.

Outstanding conditions:

As above, in the letter dated January 23, 2014, AND

Add requirements for Zions View Road; add Andy's letter LDP

Street address onto LDP

Add conditions for utility poles on LDP

How about a schedule of building? No; the Township can't force the applicants to go through with this plan, so no schedule will be forthcoming.

Mr. Suhr feels that the applicant will have no problem working with the Solicitor and Engineer to put all these documents and requirements together properly.

Mr. Gentzler checked to see that the cul-de-sac is on the plan in better form; yes. Mr. Trout's fine with the plan.

Waivers:

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the waivers for the Subdivision Plan for Gross Property/North York Development, LLC, as presented above: preliminary plan; plant sheet size; plan scale size; sidewalks on eastern side of Gea Drive; rec fees. All members voted aye; motion carried.**

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to conditional approval of the Gross/Kinsley properties Subdivision Plan, subject to the following open items referred to above: Sewer Authority approval and signatures; posting of surety; E & S plan approval; Development and Financial Surety Agreement approval and submission; Stormwater Maintenance Facility Agreement; correction to note 25, sheet 3. All members voted aye; motion carried.**

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the waivers on the Land Development Plan as presented: detention basin max depth (7.1'); storm water management facility building setback; preliminary plan; plan sheet size; sidewalk on southern side of Zions View Road; widening Zions View Road; street light and sidewalks on Zions View Road, southern side (six-month note on the plan); sidewalks on eastern side of Bartlett Drive (six-month note on the plan); and add property address (1605 Bartlett Drive) to Sheet 1. All members voted aye; motion carried.**

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to conditional approval of the Gross Property Industrial Land Development Plan, subject to the following open items referred to above: Sewer Authority signatures; surety posted; E & S plan approval; stormwater management plan approval; Development and Financial Security Agreement; Stormwater Facilities Maintenance and Monitoring Agreement; list waivers on the plan; correct Note 33, Sheet 3, street light waiver; remove Note 34; modify Note 35, Sheet 3 to note that additional access is from Bartlett; add on Sheet 1 the address 1605 Bartlett Drive; add the relocation of utility poles. All members voted aye; motion carried.**

Mr. Miller noted, and Mr. Beck corroborated that if the E & S plan comes back with changes that affect the LDP, the applicant will need to go back to the Planning Commission and then the Board of Supervisors.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to conditional approval of the Development and Financial Surety Agreement and the Stormwater Facilities Maintenance and Monitoring Agreement subject to revisions as noted and approval of the Township Engineer and Township Solicitor. All members voted aye; motion carried.**

Mr. Gross reappeared and finished leading the meeting.

**Motion by Chairman Gross, second by Supervisor Rudisill, to pay the bills as presented. All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 8:22 p.m.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary