

EAST MANCHESTER TOWNSHIP
Board of Supervisors
May 12, 2015

Present: Chairman Steven H. Gross, Jr., Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Taylor, Recording Secretary, and 18 citizens. Vice-Chairman David L. Naylor was absent.

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 since the meeting on April 13, 2015, the Board neither met nor conducted any business.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the minutes of the meeting of April 13, 2015. All members voted aye; motion carried.

Public Comments

None at this time.

Emergency Services Report

Fire Chief's Report – no additions/comments/questions

Three Mile Island Exercise Report – Budd Staub EMS Director reported that the drill went well. Also, Conewago Township approached him about joining them as an EMS Coordinator. They will send a letter of request. Bud said that he thinks they'll provide him with some assistance, and it should be a feasible proposition. Supervisor Rudisill noted that during the last exercise, some members were not notified. The problem has, for the most part, been corrected.

Special Request

Tax Exoneration Requests – **Motion by Chairman Gross, second by Supervisor Rudisill, to approve, per Tax Collector Kathy Emswiler's recommendation, the tax exoneration requests as follows: Billy D. and Pamela S. Fry, face amount \$21.53; William C. Gohn, III, face amount \$45.76; Monika S. Meiler and Darby Wolfe, face amount \$10.78; Kinsley Equities II Limited Partnership, face amount \$53.66; Monika Meiler and Darby Wolfe, face amount \$25.87; Todd L. Strickhouser, face amount \$29.11. The requests by North York Development LLC for face amount \$1.20 and Todd Strickhouser for face amount \$7.28, were NOT approved. All members voted aye; motion carried.**

York Water Company Fire Hydrant Approval – self-explanatory – Bartlett Drive. If the company is running the main lines, the fire hydrants will be installed at no charge. Chairman Gross suggested another one at Zion's View. **Motion by Chairman Gross, second by Supervisor Rudisill, to approve hydrant installations for Bartlett Drive and Gia Drive, to Zion's View as well, remaining consistent with the Township's ordinance requirement to install a hydrant at every 500'; staff should work with Chief Stevens and York Water Company. All members voted aye; motion carried.**

Correspondence

Regional Stormwater Feasibility Study – Mr. Trout will see that someone from his office attends the next meeting. Mr. Miller reported on the aim and purpose of the group, which is in the initial stages of determining the level of interest in a regional stormwater authority group.

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Solicitor's report – Attorney Andrew Miller

- Ordinance 2015-3 – still in the works.
- Forge Hill Road Private Drive – Chief Stevens has inspected the site with an eye toward emergency vehicle access and fire hydrant access (closest hydrant is one mile away). Specifically, all property owners should sign an agreement indicating that they are aware that emergency services may or may not be available. From the audience, Gary, representing the builder's company, noted that a resident revealed to him that emergency vehicle access has not been a problem in the past.
- Ag Security Resolution – **Motion by Supervisor Rudisill, second by Chairman Gross, to adopt Resolution 2015-11, to include the Donald and Donna Gladfelter farm, parcel 26MJ11E, in the Ag Security area. All members voted aye; motion carried.**
- Mr. Miller and Ms. Taylor met with authorities about the water line extension along Mundis Race Road, due to well contamination. A water district of just those properties would be set up.
- Historic Shady Lane hearing on vacating the road will be set for June
- Rentzel Heights – still awaiting documents from the attorney. Supervisor Rudisill reiterated his concern for the safety of the residents/citizens using these mailboxes.
- Mr. Miller requested a short Executive Session following this meeting.

Engineer's report – Byron Trout

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plans

Motion by Chairman Gross, second by Supervisor Rudisill, to approve, per Mr. Trout's recommendation, the surety request by Starbucks in the amount of \$182,949.18, leaving a balance of \$0. All members voted aye; motion carried.

Chairman Gross asked about the regional stormwater ponds in the Orchard Business Park area. Mr. Trout is trying to get some additional information. Chairman Gross is concerned that the Township will "get stuck" with these ponds in the future. Staff's job is to make sure this isn't set up to happen.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – minutes are available for review. Supervisor Rudisill had a question about the figures used in the refinancing project. From the audience, Joel Klinedinst cleared up his confusion.

Recreation Board – no questions or comments on the Minutes.

Public Works Director – nothing to add at this time.

Zoning Officer – Ms. Taylor noted that she will begin enforcing tall grass/weed violations this week.

Mr. Gentzler noted that there's been a request to change Gia Drive's name. He advised the applicant to work with the other two property owners on that road and then address a letter to the Board.

Mr. Gentzler will meet with Will Clark about the progress or lack thereof on the Canal Road project.

Motion by Chairman Gross, second by Supervisor Rudisill, to authorize the advertisement of Ordinance 2015-4, Sewer Authority Refinancing. All members voted aye; motion carried.

Land Development/Subdivision –

Cellco, property at 621 Willow Springs Road – Kenneth Farrell of CMC Engineering presented

this plan, which proposes a 100' cell tower and associated compound. Jonathan Andrews was also present on this plan. The ZHB granted relief (Variance), and the Planning Commission recommended approval. The applicant will pave the existing road with porous paving. Two waivers are requested: no Conservation District approval because of limited land disturbance; and no preliminary plan stage.

Outstanding comments: stormwater agreement and developer's agreement, and surety posting. Mr. Miller advised that he feels that the Board could grant approval conditioned upon the completion of these two agreements and receipt of surety. Discussion was held on the setback from the building (formerly a residence, also used as a commercial structure, currently unoccupied); if the building ever reverted back to a residential use, the owner would need to appear before the ZHB to address the setback requirements. Supervisor Rudisill feels that the ZHB didn't go far enough; he feels that whether the building houses a commercial or residential use, the setback requirement should be addressed. Is the concern that the tower could fall over? Mr. Farrell noted that the tower is set back at least the height of the structure. Discussion was further held on the ZHB's decision, with Mr. Miller giving his interpretation of the decision and the ordinance wording. If there were a commercial use in that residential property, the Variance would not have been required in the first place. In that case, the ZHB's decision and wording makes sense to him. From the audience, Mr. Rentzel noted that this property was advertised as a commercial property in the past. Mr. Miller's comfortable with the ZHB decision and wording.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the waivers for no York County Conservation District approval and the preliminary plan. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the Land Development plan of Cellco, contingent upon the satisfactory completion of the stormwater agreement, developer's agreement, and the posting of required surety. All members voted aye; motion carried.

Supervisor's comments

Supervisor Barry E. Rudisill – none at this time

Chairman Steven H. Gross, Jr. – none at this time

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 Supervisor Rudisill, to recess to an Executive Session. All members voted aye; motion carried. The meeting recessed at 8:10 p.m.

Motion by Chairman Gross, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9 p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary