

EAST MANCHESTER TOWNSHIP
Board of Supervisors
May 14, 2013

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 20 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 members met on May 13, 2013, with the Sewer Authority and Manchester and Mt. Wolf Boroughs to discuss the Sewer Authority. No action was taken.

Correction to the minutes of the meeting of April 9, 2013: Page 3, paragraph 1, should be Joe Stevens, not Ken. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of April 9, 2013, as amended. All members voted aye; motion carried.**

Public Comments

Chairman Gross wanted to honor Jim Coble for his many years of service on the Sewer Authority. Mr. Coble declined to be publicly recognized.

Matthew Howe – Chestnut Valley – sign ordinance. Mr. Howe read from the Township's sign ordinance relative to outdoor advertising signs. The reason for this public reading was the inconsistencies in enforcement, Mr. Howe said. In their development, there's a community yard sale. He ordered signs to advertise the yard sale; they were removed by the Zoning Officer. He spoke with Mr. Beck and was told that there were setback issues, but the general guidelines apply. Red, green, and yellow signs are prohibited near intersections, but this was incorrectly referenced, Mr. Howe asserted. He feels that this doesn't apply in their case. The Township is trying to control yard sale signs. Mr. Howe referred to political signs which are not removed timely nor are they are placed back from the road. He understands that it's unrealistic to expect Mr. Beck to satisfactorily enforce all the ordinances all the time. He feels that their yard sale signs encourage business, and possibly entice homebuyers to this community. Mr. Beck explained that he treated them as T-5 (temporary) signs, noting that Mr. Howe would be allowed one sign within one-half mile of the development. Mr. Beck removed the red and white signs because he felt they were distracting and unsafe, as Stop signs are red and white. Political signs are addressed in a different section of the ordinance, T-8. Chairman Gross noted that years ago developers started blanketing the area with signs that the residents were opposed to. A happy medium is needed here. Vice Chairman Naylor thought perhaps the T-5 restrictions could be changed a bit so as to permit more signs close to the area. He would propose that the yard sale signs be placed with the permission of the landowner in whose yard the sale sign is placed. How about a separate category for T-5 signs? The Township is in the process of amending some of the ordinances – put this on the list. Mr. Gentzler noted that most of the problems with the Howe signs stemmed from their being in the intersections and/or ROWs. He

also noted that Mr. Beck pulled some political signs as well, for the same violations. The clutter of signs at intersections was the reason for the sign ordinances in the first place. He feels that Mr. Beck was doing his job. Vice Chairman Naylor asked Mr. Howe if he agrees with the following restrictions: time limit on duration of sign placement; signs not permitted in ROW or near intersection; and the sign placement must be done with the property owner's permission. Yes, Mr. Howe agrees with all of these public safety precautions. It was noted that some of the signs that seem to be in violation might be in the Borough.

Mr. Howe feels that there are some signs very near his signs that Mr. Beck did not remove, thereby he feels that he was singled out.

Kieron Mooney, Manchester Golf Links, with two staff present, noted that the golf club and restaurant are open to the public, not just for club members. Three meals per day are available at the restaurant. The course will hold the York Open for the next five years. Steve Saylor referred to the sign problem. He would like to see the township enforce the weed problem that is in some areas of the Township before it worries too much about signs. There's also a run-off problem with his lot, 450 Pebble Beach. Mr. Trout will take a look at this property tomorrow. Mr. Gentzler noted that the mowing of weeds, finding the owners, etc., is a lengthy process.

Emergency Services Report

TMI 2013 Report – no report.

Chad Ruby gave the EMS report. Chairman Gross asked what is the ambulance club's return rate on the solicitation/membership requests? Response has been increasing, but hard numbers are unavailable at this time.

Special Request

Louis Castriota Rezoning Request – Joel Snyder was present on this request for the property at Starview Road and Sherman Street Extended. The applicants are requesting to expand the village zone at that intersection for the Leg-Up Farm facility. What's the progress on the process? Did this issue go before the Planning Commission? Not yet; the Board of Supervisors needs to send it to the Township Planning Commission, then it can go before the YCPC. Mr. Miller confirmed the process and the timeline.

Is the Board interested in entertaining this proposal? Chairman Gross would like to get the Planning Commission's input. Vice Chairman Naylor has "serious reservations" about this enlarging the village zone at this location. Just passing this application to the Planning Commission doesn't imply endorsement of the proposal, but it would not be good to put this applicant all the way through the process only to find that the Board members are opposed to it. Supervisor Rudisill doesn't favor the proposal at this point, and neither does Vice Chairman Naylor.

Mr. Snyder asked is it reservations to expanding the village zone at all, or just how the applicant has presented it? Mr. Beck urged that if the Board members want to propose any changes, now's a good time to present those changes so that the applicants have time to re-draft the proposal.

Chairman Gross asked the Board members if there would be any way they would approve such a proposal. Supervisor Rudisill feels that the area to be rezoned is too large. If the applicant can reduce it to something less than the 26 acres, that would be better; Vice Chairman Naylor agrees.

Motion by Chairman Gross, second by Supervisor Rudisill, to *table* this application in order to permit the applicant to address the Board's concerns, namely, the amount of

acreage proposed for rezoning. All members voted aye; motion carried.

Culp Subdivision – Bill Davis, Site Design Concepts, was present on this subdivision plan. The last subdivision of this property was in 1979. No physical delineation has been evident to indicate that the parcel consists of two lots since that time. To comply with the current regulations, each lot would have to be four acres; it's currently non-conforming. There are two lots; one owner, but no delineation. The Culps would like to merge these two lots without doing a formal reverse subdivision plan. This is the R-1 Zone. The old plan was recorded, but the deeds never separated. Because the lots are non-conforming, the landowner cannot sell the lots as building lots. They should be combined into one deed. Mr. Culp understands that once the lots are combined, he can sell the property only as one large parcel. Mr. Miller suggested a confirmatory deed to accomplish what the applicant wants to do. There's one tax parcel number for both lots. That means there won't be any trouble with the tax map office. Mr. Culp explained the original intent of the 1979 subdivision. They wanted to put a trailer on one of the lots; the subdivision was done to prevent them from having two residences on one lot. That trailer placement never happened.

Motion by Vice Chairman Naylor, second by Chairman Gross, to affirm the recording of the confirmatory deed to eliminate the lot line, and to request that the applicant provide the legal description of the property without the lot lines, in the revised sketch plan, referencing the 1979 plan, and showing the dates of approval by the Township Board of Supervisors, and adding the reference to the ROW dedicated in the previous plan. All members voted aye; motion carried.

Correspondence

West Nile Program – Mr. Gentzler noted that there are mosquito traps out and about in the County.

Solicitor's report – Attorney Andrew Miller

- Comcast Cable Agreement – no discussion
- Subdivision and Land Development Ordinance Amendments – have been distributed – extensive amendments – it was noted that the sign ordinance issue will be added – Mr. Miller still has some additions before the entire list is submitted to the Planning Commission. He suggested a separate meeting to discuss the entire amendment package. Relative to RV parking, the Township's parking ordinance is out of date and needs to be updated to comply with the PennDOT regulations. Mr. Miller will propose a change to comply with PennDOT. Tentatively scheduled for June 26 to review proposed ordinance changes. Mr. Miller will propose the sign changes. From the audience, Joel Klinedinst suggested that the signs be placed only after the permit is issued; issue the sign regulations with the permit. Mr. Beck noted that there's no differentiation between the cost for the permit for a permanent or temporary sign. Mr. Gentzler noted that enforcement of this new ordinance might be difficult – tracking of the owner of the sign, the duration of its placement, etc.
- Motor Technology Case – stipulation not finalized; discuss in Executive Session if necessary. County has amended its LERTA program. Mr. Miller will follow up and advise.

Engineer's report – Byron Trout

MS-4 permit – there was one comment; Mr. Trout will revise to comply.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – no discussion

Recreation Board – Supervisor Rudisill questioned the “brainstorming possible capital projects.”

Zoning Officer – Mr. Beck requested an Executive Session following tonight's meeting. Mr.

Beck noted that the Hellam Township Comprehensive plan does not affect the East Manchester Township.

Motion by Supervisor Rudisill?, second by Vice Chairman Naylor, to authorize Mr. Beck to send a letter to Hellam Township to that effect. All members voted aye; motion carried.

Public Works Director – the guy who dumped the tires on Gut Road was apprehended, and a bill was sent to recoup the damages.

Dump truck replacement – **Motion by Supervisor Rudisill, second by Chairman Gross, to authorize the purchase of a 2013 Peterbilt chassis to switch with another truck body; for a cost of \$21,141.00 for the “upfit”; \$83,844.00 for the truck, at the state contract price, with an option for trade. This is a budgeted expense. All members voted aye; motion carried.**

Mr. Gentzler added: road work for 2013 – bids awarded –

Motion by Chairman Gross, second by Vice Chairman Naylor, to proceed with roadwork. Crack Seal, Polypatch, Fiberseal and Microsurface the following streets: Steamboat Boulevard; Entire Dauberton Subdivision; Loucks Street; Part of Rosedale Drive Park; Dellinger Road, with all prices to remain within the budgeted amounts. All members voted aye; motion carried.

It was noted that the road inspection date should be held in the late fall, early winter, rather than the spring. Everyone agreed.

Land Development/Subdivision –

None at this time.

Add to the bill list: flowers for Memorial Day celebration.

Motion by Chairman Gross, second by Vice Chairman Naylor, to pay the bills and purchase flowers for the Memorial Day Parade. All members voted aye; motion carried.

Supervisor's comments

Supervisor David L. Naylor – clean-up in Creek Bottom? Township crew was helping to clear out; tires will be removed and disposed of at the incinerator. Garbage is being cleaned up. Work in progress.

Supervisor Barry E. Rudisill – PPL fields not being mown within the goals; needs to be mowed. Mr. Gentzler will check. Osinsky property update? PennDOT heard the municipality's point of view. House at Asbury Point, 78 Burberry – to be discussed in Executive Session.

Chairman Steven H. Gross, Jr. – Saginaw update? Mr. Gentzler spoke with a park representative and is still waiting for a response. Work on Meeting House Road? Mr. Gentzler met with Mrs. Rauscher and the neighbor about their driveway concerns; it's PennDOT's duty to

conform their driveway and if they don't, Mrs. Rauscher should call Mr. Gentzler. He's still asking them to remove the "hump" at the end of the road. Still in progress.

Motion by Chairman Gross, second by Vice Chairman Naylor, to recess to Executive Session. All members voted aye; motion carried. The Board recessed at 8:40 p.m.

Motion by Supervisor Rudisill to adjourn , second by Chairman Gross, All members voted aye; motion carried. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary