

EAST MANCHESTER TOWNSHIP
Board of Supervisors
July 8, 2014

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Christian Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Taylor, 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 did not meet since the June 10 meeting.

Correction to the Minutes of the meeting of June 10, 2014: on page 4/5, under the Chairman's comments, it should be Riverview, not ~~Saginaw~~ Road. The minutes will be changed. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of June 10, 2014, as amended above. All members voted aye; motion carried.**

Public Comments

Beverly Hildwein, Sherman Oaks, Hackberry Drive, voiced concerns about speeding traffic and comments by passing motorists complaining about the fact that the residents park on the street. Is it possible to get something done? The appropriate Board member will bring it up at the police meeting. Someone posted on the Sherman Oaks website that there was a speed detail posted in that area. The residents felt that was an unwise idea, if catching speeders is the goal.

Crystal Neiman, 45 Hackberry Drive, also had concerns about the obscenities being called from vehicles and rude gestures by the motorists. Mrs. Hildwein presented copies of information of internet correspondence relative to this issue.

Tina Owl noted that the comments have been a problem from the start of the website.

Brick Alwine asked about the 391 Park Street situation of poor drainage that floods his driveway. Mr. Trout responded, relaying the turn of events surrounding this property/problem. The time frame within which the property owner had to respond has passed. Materials are on the property but the work is still unfinished. Mr. Trout has been in contact with this property owner for at least a year. Mr. Alwine noted that there is a problem with the front gutter; the water bypasses the gutter in a heavy storm.

If the situation is not resolved by Monday, Mr. Miller is to proceed with a violation procedure.

Mr. Alwine also asked about installing solar panels. Ms. Taylor has already provided information to him outlining the procedure he must follow.

Emergency Services Report

Bud Staub provided information on emergency information transmission; free to anyone who signs up. Nixel, however, has a cost associated with it. Using all three services would be \$2500 per year, which could be split three ways (Mt. Wolf, Manchester Borough, and East Manchester Township). Mr. Staub will provide more information.

Special Request

- JJ Four LP Rezoning Request – Jim Barnes and Jim Craft were present on this request. Mr. Craft owns two parcels in Starview, two tax parcels, 4535 North Sherman Street, and 45 Codorus Furnace Road. He would like to rezone the R1 portion of the property to the Village Zone. The

balance of the land (about 64 acres) is requested to be rezoned back to Ag from R1. No specific plans at this time for the Village Zone part; Ag portion will be sold to someone to continue to farm it. Will the Board rezone the 8 acres or so as proposed? Supervisor Rudisill noted the Board's concerns about possible future use of the property in the Village Zone. It was confirmed that any use of this property in the future would need to meet the requirements of the Village Zone.

Motion by Chairman Gross, second by Supervisor Rudisill, to send the request to the EMT Planning Commission and the YCPC for consideration and review. Discussion: Vice Chairman Naylor isn't sure that Starview is ready for this step. He is interested in what those residents feel about this project and the potential for problematic uses. The return of the balance of the R1 area back to Ag offsets this possible problem for him. Supervisor Rudisill feels that the impact of an office area would be less than apartments or such. *Vote on the motion: All members voted aye; motion carried.*

- Reneberger Storm Pipe Repair – Mr. Reneberger was present on this issue. He found a sinkhole in his yard. PennDOT says it's because the deteriorating pipe is the problem; the Township personnel checked the pipe, then the records, and there's no record of the Township having installed this pipe. Mr. Reneberger has lived there for many years. He remembers when the wash-out problems started. The problem is that the sinkhole is there, and there are cracks on the other side of the road, which may indicate the presence of another sinkhole. No one wants to claim responsibility for replacing this pipe, including Mr. Reneberger. Mr. Gentzler noted that it doesn't matter who installed the pipe, the Township has no easement or ROW to encroach upon the property to make this repair. Mr. Reneberger related several past scenarios in which he feels that the Township entered private property to make repairs, so why can't they do it on his property? Mr. Trout noted that he has applied for grant funding for this project; that application is to be reviewed in August. It was also noted that there are new regulations that the Township must follow, so "the days of the Township going in and fixing something are over." Mr. Trout feels that the problem under the road is PennDOT's. Mr. Gentzler will investigate the situation, given some new information that was brought to light.
- Phillippi Deed Merger Request – Attorney Miller noted: technically the two lots are under the same owner; the applicant wants to combine the two into one deed. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the deed of merger. All members voted aye; motion carried.**
- 2nd Driveway Request – Bonner Smith, 804 Locust Street, was present; he'd like to add a second driveway to access the lower portion of the lot for living quarters for him and his wife as they plan for failing health. The home is on a steep slope; the first driveway accesses the upper portion of the home. Vice Chairman Naylor feels that there are extenuating circumstances to this request, even though it is usually not approved. Supervisor Rudisill agrees, noting that the applicant is preparing for a type of in-law quarters situation. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the request for a second driveway. All members voted aye; motion carried.**

Correspondence

Northeastern Senior Center Thank-you received

Solicitor's report – Attorney Christian Miller

- Subdivision and Land Development Ordinance Amendments – ongoing project; comments received from YCPC. Attorney Miller outlined the YCPC comments for SALDO: use traffic impact study; MS4 language comment – no change necessary; [At this point, 8:26, Chairman Gross left the meeting due to a storm-related emergency. Vice Chairman Naylor assumed control

of the meeting in his absence.]; driveway/access driveway language choice; Mr. Miller will correct and re-submit to Mr. Trout; enforcement actions – no change necessary, as the Township is using the new language. Zoning Ordinance: add childcare and group child care to Conservation? no change required; exclude Ag buildings from accessory structures? No change required. Performance standards, luminaries – no change required. Adult daycare? Group home encompasses adult daycare; DPW rules will apply anyway. No change necessary. Animals other than domestic pets: agricultural operation – need definition? No definition needed. Attorney Miller will make the changes and resubmit to Mr. Trout, Ms. Taylor, and Mr. Gentzler. Next meeting, decide on adoption.

- Ag Security Resolution – tabled from last month; Brady Barnes plan. The Township requested a letter from the current owner approving the application for Ag Security; letter received and distributed. **Motion by Chairman Gross, second by Rudisill, to approve Resolution 2014-10, to include 445 Blossom Drive in the Ag Security program. All members voted aye; motion carried.** [This item was indeed addressed prior to Chairman Gross's departure; the agenda items were shifted slightly to work around Mr. Gentzler's having to deal with storm issues.]
- Code updates – put on next month's Agenda.
- 465 Zions View Road – still a work in progress. Nothing new to report.

Engineer's report – Byron Trout

Revisiting the discussion regarding the drainage problems at 391 Park Street – Mr. Trout noted that downspouts are not made to collect all the water from a major storm (like the one we had during tonight's meeting).

Inspections – Coghill Way damage – inspecting tomorrow morning to assess the damage and decide on repairs. Espresso Way to Canal Road – Mr. Trout inspected the sub-base yesterday; paving to commence.

Plan reviews

Correspondence – BK Services requested a letter from Mr. Trout; he's planning to oppose their request for extra money.

MS4 and Chesapeake Bay Plans – MS4 – county requested a resolution to opt in or opt out for the Chesapeake Bay reduction plan (annual cost \$4,313; starts in 2015). To prepare the Township's own plan would cost roughly \$60K. It certainly makes sense to opt into the county's plan, but Mr. Trout advises not opting in just yet, as there is no intermunicipal agreement to review. The decision to opt in or out must be made by August 31. The Board can act next month.

Mr. Trout also advised that the Board must advertise and hold a public meeting on the MS4 program. Doing so gives the Township credit for participating in the program and increasing public awareness.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Resolution 2014-11 for the signal light at Canal Road and Espresso Way. All members voted aye; motion carried.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – available for review. Sewer Authority Golf Outing will be September 18 at Honey Run; details on website. Repairs and upgrading at the farm. PPL information still pending.

Recreation Board – no meeting this month.

Public Works Director – micro-surfacing just about completed. Line striping nearly finished. Work on house next door progressing. Also worked on road failure on Park Street. Old mowing tractor is out of commission; next year's budget should include a new mowing tractor. Ballpark figure \$70K (includes snowplow).

Zoning Officer – report available. Question on Forge Hill Road, pre-existing lot with no road frontage – what's the deal with that? Mr. Gentzler reported that Mr. Miller was consulted on this matter. This lot

was previously subdivided as a building lot, and there's a private road for access. The ordinance would not permit this to be done for a new subdivision. Supervisor Rudisill requested maintenance agreements for the private road. Mr. Gentzler will revisit this situation with Mr. Miller and Ms. Taylor. Also, from Supervisor Rudisill, a question on the Starbucks expansion.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to appoint Deborah McCurdy as Open Records Officer. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to authorize the Zoning Officer to get licensed as a Notary Public. All members voted aye; motion carried.

Land Development/Subdivision –

Advance Auto Parts – Joe Stine, Penn Terra Engineering, was present on Plan #13224, original plan dated 4/28/14, latest revision 6/25/14

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the waiver for preliminary plan for Advance Auto Parts. All members voted aye; motion carried.

The property is at 4145 North George Street Extended and Glen Drive Extended. The proposal is to build a 6895-square-foot Advance Auto Parts store, with 30-ish parking spaces. The applicant is planning on using Glen Drive for circulation. ZHB approved a variance for side setback. E & S approval obtained. Nearest fire hydrant was located and marked.

Planning Commission comments: stormwater and access agreements still outstanding; surety received by Township; fire chief letter received, requesting new fire hydrant on the NE corner of North George and Glen Drive (discussion/discrepancy as to the location of the water main – from the audience, Bob Nace, Planning Commission member, noted that the Planning Commission had difficulty making a decision on the fire hydrant issue); the applicant will install the hydrant on the NE corner as requested. Sewer Authority signatures are on the plan; HOP application submitted; truck turn plan needs work. Add partnership name on the plan for recording consistency. Add waiver to the plan.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the plan for Advance Auto Parts, Plan #13224, subject to the satisfactory resolution of the following open items: stormwater and access agreements, installation of the hydrant; truck turn plan issues, add partnership name, add waiver, confirm surety receipt. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve Resolution 2014-12 for Revised Traffic Signal Permit at Glen Avenue and George Street. All members voted aye; motion carried.

Supervisor's comments

Vice Chairman David L. Naylor – what about the van that has been parked out front all week? Belongs to the Peterbilt dealership; got permission from Jen. Also, revisit parking on both sides of the street in Sherman Oaks. Apparently, the situation is quite a nightmare. Something needs to be done. The police can ticket vehicles that are obstructing the safe passage in the street. Discussion was held on the history of the area/issue.

Supervisor Barry E. Rudisill – did the Township send a letter to Mr. Gillespie's office about DEP's dragging its feet? None sent yet. Apparently, there was a meeting. Also, still planning to purchase the generators? Yes. [At 9:52, Chairman Gross returned to the meeting.]

Chairman Steven H. Gross, Jr. – Route 921 where Musser Run comes in, the pipe needs work; road is falling away and is dangerous.

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

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary