

WEST MANHEIM TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES

Regular Meeting

Tuesday, October 18, 2016
7 p.m.

The Regular Meeting of the West Manheim Township Board of Supervisors was held on Tuesday, October 18, 2016, at the Municipal Building, 2412 Baltimore Pike. Chairman Hartlaub called the Meeting to Order at 7 p.m., followed by the Pledge to the Flag and Invocation by Supervisor Ault.

ROLL CALL: Present were Supervisors Ault, Blettner, DeGennaro, Hartlaub, and Staaf, along with Manager Marc Woerner, Solicitor Linus Fenicle, and Township Engineer Chris Toms.

PUBLIC HEARING – Joshua and Vanessa Schmidt – Conditional Use Hearing

Chairman Hartlaub announced to those present in the audience the meeting would start with a conditional use hearing. He then turned the Public Hearing over to Solicitor Linus Fenicle. Solicitor Fenicle explained that this is a Conditional Use Hearing for Joshua and Vanessa Schmidt's request for ECHO Housing pursuant to the provisions of the West Manheim Township Zoning Ordinance, Article VIII, §270-45. The Solicitor explained that ECHO Housing is a conditional use in the Farming District. The property is located at 270 Tracey Road, which is located in the Farming District. Court stenographer, Donna Elicker, was present to take the minutes of the Public Hearing. Linus Fenicle, Township Solicitor asked the stenographer to swear in the witnesses. The Solicitor reported that the property was properly advertised and that the property was posted as required. The solicitor also informed the Board that the Planning Commission gave the Schmidts a favorable recommendation.

Joshua Schmidt thanked the Board for hearing his and his wife's request to allow ECHO housing on his property. Mr. Schmidt explained the reason and purpose behind the request was due to his father having a massive stroke. He then went on explaining the reason for the placement of the mobile home and on-lot septic system on his property of 10 acres.

The Solicitor went over the 10 requirements to receive approval.

The Solicitor opened the hearing up to the public for questions.

Linus Fenicle, Township Solicitor asked the stenographer to swear in Kelli Mertz, 200 Tracey Road. Ms. Mertz expressed her concern for the placement of the mobile home near her property.

Mr. Schmidt explained that it was his family's desire to place the mobile home closes to his home.

Linus Fenicle, Township Solicitor asked the stenographer to swear in Ms. Carolyn Cockey, 225 Tracey Road. Ms. Cockey wanted to know what the setbacks were for the placement of the mobile home. Solicitor Fenicle explained the front setback is 40 feet, side setback is 30 feet and rear setback is 40 feet in the farming district.

Ms. Cockey also questioned if the mobile home could become a rental property when Mr. Schmidt's family member was no longer living in the property and if it could not become a rental property who would enforce the removal of the mobile home to prevent it from becoming a rental unit. Marc Woerner, Township Manager explained that the Zoning Officer and the Code Enforcement Officer would be the ones to oversee the permit status.

After everyone had expressed their concerns, the Township Solicitor Linus Fenicle asked for a motion on the request.

Supervisor Ault made a motion granting the Conditional Use citing the applicant can meet all of the requirements in the Zoning Ordinance, Chapter 270, Article XVI, §270- 109, 1 through 10, along with all of the necessary requirements to obtain a building permit, seconded by Supervisor Staaf. In a Roll Call vote, the **Motion carried.**

The Conditional Use Hearing ended and the regular meeting of the Board of Supervisors started at 7:25 p.m.

Chairman Hartlaub announced that the Board of Supervisors held an executive session on October 6 and would be holding an executive session on October the 24 to discuss labor issues. Chairman Hartlaub also announced that the Board of Supervisors would be holding a Budget Workshop on October 24, 2016 at 4 p.m. to discuss the 2017 Budget.

PUBLIC COMMENTS: Supervisor Hartlaub asked all present if anyone wanted to address the Board and received no answer.

APPROVAL OF MINUTES: Supervisor DeGennaro made a motion to approve the Minutes of the Work Session on Thursday, October 6, 2016, seconded by Supervisor Blettner. **Motion carried.**

DISBURSEMENTS: Supervisor Ault made a motion to approve the Disbursements from all Funds as listed, seconded by Supervisor Blettner. **Motion carried.**

CORRESPONDENCE: Chairman Hartlaub noted the Board of Supervisors received the following correspondences:

A. Thank you note from April Brunson, 90 Sara Lane

Chairman Hartlaub noted the Township received a thank you thanking the Township Manager for taking the time to meet to discuss permitting issues.

B. Woodhaven Building & Development Updates on the following projects:

- a. Joshua Hill Farm,
- b. The Warner Farm,
- c. Preserve at Codorus Creek IV (Marlee Hill)

Supervisor Blettner made a motion accepting the correspondence received from Woodhaven Building and Development giving updates on Joshua Hill Farm, The Warner Farm, and Preserve at Codorus Creek IV (Marlee Hill), seconded by Supervisor Staaf. **Motion carried.**

RECREATION BOARD REPORT: Christine Gienski, Chair, West Manheim Township Park and Recreation Board gave an overview of the submitted report (copy on file). Chris reminded the Board there would be no Recreation Board meeting in November or December. She also expressed that the Recreation Board would like to see all of the recreation fees to be collected from Homestead Acres go to the recreation park located in the Township.

SOLICITOR REPORT: Solicitor Linus Fenicle requested authority to advertise the Local Services Tax that the Board of Supervisors would like to adopt to generate additional tax revenue. The Solicitor would like to adopt the Local Services Tax at the Board of Supervisors meeting on November 15, 2016.

Supervisor DeGennaro made a motion authorizing Solicitor Linus Fenicle to advertise the Local Services Tax, seconded by Supervisor Staaf. **Motion carried.**

ENGINEER REPORT: Christopher Toms, C. S. Davidson, had nothing new to add to his submitted report (copy in Township file).

Supervisor Staaf asked when the Township would be required to start implementing MS4.

Chris Toms, Township Engineer explained the Notice of Intent will need to be drafted by July of 2017 to allow for the 45-days needed to advertise and to allow public comments. Once all of the requirements are met, the Township then would need to submit the Notice of Intent by September of 2017.

Supervisor Blettner made a motion to accept the Engineer's Report, seconded by Supervisor Ault. **Motion carried.**

REPORTS:

1. Monthly Budget Review – Treasurer's Report - September 2016
3. Public Works Report – September 2016
4. Pleasant Hill Volunteer Fire Co.-EMS Reports – September 2016
5. EMA Report – September 2016

Township Manager, Marc Woerner gave an overview of each department's report.

Mike Hampton informed the Board that they had no major incidents at the Healing Field event. He reminded the Board members the next major event in the Township is Halloween in the Park, held in Codorus State Park.

Supervisor Blettner made a motion to accept all department reports 1 through 5, as distributed, seconded by Supervisor Ault. **Motion carried.**

MANAGER REPORT: Manager Marc Woerner had nothing new to add to his submitted report (copy in Township file).

Supervisor Blettner made a motion to accept the Manager's Report, seconded by Supervisor Blettner. **Motion carried.**

OLD BUSINESS

A. SpiriTrust – Sidewalks – Chris Toms

Chris Toms, Township Engineer had nothing new to report for this meeting.

B. Authorization to Advertise the Solid Waste Ordinance Amendments for Community Events Recycling

Supervisor Ault made a motion to authorize the Township's Solicitor to advertise the Solid Waste Ordinance Amendments for community events recycling, seconded by Supervisor Blettner. **Motion carried.**

C. Trash Exemption for 236 & 240 St. Bartholomew Road

Marc Woerner, Township Manger reminded the Board that they had requested him to gather more information concerning 236 & 240 St. Bartholomew Road before making a decision to be exempt from trash service. He explained that the property located at 236 St. Bartholomew Road was a rental property that could soon be available to rent and that the property at 240 St. Bartholomew was a dilapidated, uninhabitable mobile home.

Supervisor Ault made a motion to grant the exemption request for only one quarter from trash service for 236 Saint Bartholomew Road. Chairman Hartlaub asked about the exemption for 240 St. Bartholomew Road. Supervisor Ault was not in favor of granting the exemption for 240 St. Bartholomew Road. A discussion took place on both properties. After discussing the properties, Supervisor Ault withdrew his original motion and made a new motion.

Supervisor Ault made a motion to deny the request to be exempt from the trash service for 236 St. Bartholomew Road and to table 240 St. Bartholomew until the November 3 meeting, seconded by Supervisor DeGennaro.
Motion carried.

NEW BUSINESS

No new business.

SUBDIVISION PLANS:

A. Request for Preliminary Plan Approval of Homestead Acres – Oakwood Dr. & Valley View Drive – 366 Lot Preliminary Subdivision Plan

Paul Minnich Solicitor for J.A. Myers was present and spoke on behalf of J. A. Myers. Mr. Minnich reviewed the letter sent to the Township from HRG engineering that addressed the concerns of the citizens living in the Oak Hills Subdivision that will be next to Homestead Acres (copy on file in the subdivision file). HRG's letter addressed the request for a construction entrance off of Pumping Station Road, the request for landscape mounds and trees to buffer, speeding on Pumping Station Road, construction work hours and Traffic Impact Fees.

Mr. Minnich then reminded the Board members that they had requested designs of the tot lots if half of the recreation fees went to the tot lots in the Homestead Acres Development. He then informed them they should have received the designs and cost of three of the tot lots.

The goal for attending the meeting was to get some guidance on whether the Township would like the required recreation fees be divided between Homestead Acres to develop tot lots and the Township's recreation park or all of the recreation fees be given to the Township's recreation park.

Mr. Minnich explained that they are currently working on the Developer's Agreement and would like to add the outcome of tonight's decision on the recreation issue to the Developer's Agreement. He also informed the Board that they are working on the Sewer Agreement.

After Mr. Minnich finished addressing the Board, Chairman Hartlaub opened the floor to those in attendance to address their concerns on the Homestead Acres Subdivision.

Mr. Larry Freer, 1930 Oakwood Drive, brought the Oak Hills Community continued concerns about the construction entrance off of Pumping Station Road and the negative impact this development will have on their community. Mr. Freer would also like to see Oakwood Drive planted with Oak trees.

Mr. David Bowden, 1553 Oakwood Drive, would like to see something in writing that states hours of constructions.

Mr. Mike Cooper, 1890 Oakwood Drive also would like to see something in writing that states hours of construction.

Sharon Koslosky, 2176 Oakwood Drive, would like to see "School Bus Stop Here" sign on Oakwood Drive for the children from the Homestead Acres Development.

Rusty Dewald, 229 Valley View Drive, would like to see a three-way stop at Valley View and Oakwood Drive.

Charles Bankert, 1582 Oakwood Drive, brought his concerns to the damage that heavy equipment will cause to Oakwood Drive.

Kyle Bankert, 1622 Oakwood Drive, brought the concerns he has as a person in a wheelchair traveling on Oakwood Drive.

Matthew Lawhead, 1999 Oakwood Drive, feels that all of the recreation fees should go to the Township's recreation Park.

Supervisor Ault made a motion to direct 100 percent of the recreation fees collected from the Homestead Acres Subdivision be directed to the West Manheim Township Recreation Park and that no recreation fees paid by J.A. Myers, the Developer, be directed to the tot lots in the Homestead Acres Subdivision, seconded by Supervisor Blettner. In a 4 to 1 vote the **Motion carried**. Supervisors Ault, Blettner, Hartlaub and Staaf voted yes. Supervisor DeGennaro voted no.

B. ALL TO BE TABLED:

Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58 - lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary, Wyndsong Pointe – Phase II, 15 - lot Final, Fuhrman Mill Heights, 1- lot, 34-units-Final Plan, Fox Run Village, 25 - lot Final, Steeple Chase, 12-lot Final, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary Plan.

In a motion by Supervisor Ault and seconded by Supervisor Blettner, the Board tabled all the following plans: Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58 - lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary, Wyndsong Pointe - Phase II, 15 - lot Final, Fuhrman Mill Heights, 1- lot, 34-units-Final Plan, Fox Run Village, 25 - lot Final, Steeple Chase, 12-lot Final, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary Plan. Motion carried.

SUPERVISORS AND/OR PUBLIC COMMENTS:

NEXT SCHEDULED MEETINGS: Supervisors Budget Work Shop – Monday, October 24, 2016 at 4 p.m. Supervisors Work Session – Thursday, November 3, 2016 at 7 p.m. with Supervisors Caucus at 6 p.m. Supervisors Regular Meeting - Tuesday, November 15, 2016 at 7 p.m. with Supervisors Caucus at 6 p.m.

ADJOURNMENT: Supervisor Staaf made a motion to adjourn the Regular Meeting at 8:40 p.m., seconded by Supervisor Blettner. Motion carried.

Respectfully submitted,

Miriam Clapper
Secretary