

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
April 11, 2022

The Supervisors of Clay Township met on a regularly scheduled meeting date of April 11, 2022, at the Clay Township Municipal Office, 870 Durlach Road, Stevens, Pennsylvania, at a time and place duly established to hold such a meeting and advertised and posted in accordance with the Second Class Township Code and the Sunshine Law.

Supervisors present were Tim Lausch, Chairman, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Also, present was Bruce Leisey, Township Manager, Bob Lynn of Hanover Engineering, Township Engineer and Jennifer Mejia of Mejia Law Group, Township Solicitor.

Also attending were those listed on the meeting attendance sheet, which is attached to these Minutes.

Tim Lausch called the Meeting to order at 6:35 p.m.

**Meeting Minutes**

Keith Martin made a motion, seconded by Gary Landis to approve the March 14, 2022 meeting minutes. \* The motion was unanimously approved.

**Treasurer's Report**

The Treasurer's Report for the month of March 2022 was tabled.

**Visitors**

None

**Engineer's Report**

1. Wyndale – Request for Extension to Record Plan

After discussion, it was decided to table a decision until later in the meeting.

## 2. Blue Bell MHP Subdivision/Land Development Plan Approval

David Mease of Diehm and Sons reviewed the plan with the Board of Supervisors. The site is located at 1992 West Main Street, and currently consists of 52 mobile homes and a public laundromat. The site is 15.2 acres and is in the Agricultural (AG) Zoning District. The proposed expansion will consist of 23 additional mobile homes.

The plan proposes a fire hydrant on the eastern road near lot 15. After discussion the Board of Supervisors expressed its desire to locate another fire hydrant at approximately the same location on the western road, to improve water capacity if needed.

After discussion, Gary Landis made a motion, seconded by Keith Martin to approve the following modifications and deferrals as outlined in the Hanover Engineering letter dated 3/23/22. \* The motion was unanimously approved.

### Section 303.A – Preliminary Plan

The applicant is requesting a modification of the requirement to submit a Preliminary Plan and is proposing to submit a Preliminary/Final Land Development Plan to meet the requirements of both the preliminary and final plan requirements. The applicant feels this is justified due to the nature and limited scope of the project. The project is an expansion of an existing mobile home park. The applicant indicates there are no new streets proposed, no subdivision is proposed, and the land development is not a phased project.

### Section 402.A.6 – Profile Horizontal and Vertical Scales

The applicant is requesting a modification of the requirement to draw profiles as a scale of 1" = 50' and a vertical scale of 1' = 10'. The applicant is proposing to provide the profiles at a scale of 1" = 30' and a vertical scale of 1" = 6'. The justification provided is that the alternative scale is consistent with the rest of the projects plan scale.

### Section 402.C.3.b – Sinkholes and Carbonate Geology within 200' of the Subject Tract

The applicant is requesting a modification of the requirement that sinkhole and carbonate geology features be shown on the plan when located within 200 feet of the subject tract. The applicant is proposing an alternative to identify and address these features by way of a separate geologic report. The applicant notes that the report has been submitted in support of the project. The justification provided is that sine relevant carbonate features have been adequately identified and areas within the scope of the Geologic Study, they feel it is adequate.

### Section 602.A.3 and Section 602.B.3 – Design Speed

The applicant is requesting a modification of these sections as they have established a minimum design speed of 30 or 35 mph for roadway design purposes. As an alternative, the applicant is proposing a design speed of 15 mph for the proposed access drive throughout the project site. The applicant believes this request is justified in consideration of the nature of the project. The applicant notes that the AASHTO Green Book (Section 2.3.6) and the PennDot Publication 13M (Section 2.9) identify a number of factors which must be considered in the selection of the design speed, such as anticipated operating speed, adjacent land use, average trip length, safety, economics, etc. The applicant feels that these factors support a lower design speed than the 30-

mph minimum stipulated by the Ordinance. Utilizing higher design speeds would require more expansively roadway geometric features, which in turn would encourage higher operating speeds. This would contribute to unsafe conditions within the mobile home park. The applicant feels a 15-mph design speed supported by a 15-mph posted speed limit, is both logical and desirable for the project.

#### Section 602.J – Horizontal Alignment

The applicant is requesting a modification of the requirement that the minimum horizontal curve radius for a street shall be the greater of the design requirements of Design Manual Part II Highway Division Design and/or the AASHTO Green Book, or Table 1 as presented in the Ordinance. As an alternate, the applicant is proposing a minimum horizontal curve radius that is based on the AASHTO Green Book alone. The applicant feels this request is justified regarding horizontal alignment, Section 2.1 of the PennDOT Design Manual Part II simply refers to the AASHTO Green Book and does not present any different criteria for horizontal alignment design. The applicant notes that Table 1 of the ordinance begins with a design speed of 35 mph and presents no horizontal curve data for any design speed less than 35 mph. The applicant feels that Table 1 is insufficient to address the proposed design speed of 15 mph. The proposed horizontal alignment of the access drive has been designed in accordance with the AASHTO Green Book which is the authoritative source with address the specific criteria of the project.

#### Section 602.N.1 – 100 Foot Clear Sight Triangle

The applicant is requesting a modification of the requirement to provide a 100-foot clear sight triangle at all street intersections, measure from the intersection of the street centerlines in all directions. As an alternative, the applicant is proposing a clear sight which is equivalent to the “departure sight triangle” as stipulated by the AASHTO Green Book for an intersection with stop control on the minor road. The departure sight triangle legs would be equivalent to the recommended intersection sight distance along the major roadway (as identified on the plan), and the “decision point vertex” along the stop controlled minor road. The decision point vertex is typically measure at 14.5’ from the edge of the major roadway, or 18’ where practical (as utilized on this project). The applicant believes this is justified since the AASHTO Green Book (Chapter 9) is the authoritative source that is reference by PennDOT with regard to establishment of clear sight triangles (see PennDOT Publication 13M, Section 3.3.C)

It is recommended, the modification be conditioned on showing the clear sight triangle for the existing access on the plan and removing existing sight obstructions. The applicant has modified the clear sight triangle to expand to a length of 35’ along the driveway centerlines in order to maximize the clear sight triangle.

#### Section 603.B – Sidewalks required along all adjacent streets

The applicant is requesting a deferral of the requirement to provide sidewalks along the entire length of any lot fronting on a principal arterial street in the AG-Agricultural zoning district. As an alternative, the applicant is proposing no sidewalk along the frontage. The applicant believes this request is justified as no sidewalks currently exist along West Main Street in the vicinity of the project site. The project is not expected to contribute any pedestrian traffic along the roadway. Also, the existing road shoulder and adjacent lawn area provides adequate width and grade for occasional pedestrian traffic.

### Section 603.C – Curb

The applicant is requesting a deferral of the requirement that curbs be provided where sidewalk is required or provided. As an alternative, the applicant proposes no curbing along the road frontage. The applicant feels this request is justified as no curbing exists along West Main Street in the vicinity of the project site. Also, a deferral has been requested to not install sidewalks along the road frontage.

### Section 710.B – Play Areas

The applicant is requesting a modification of the section that requires that play spaces for children be provided within the mobile home park, including suitable requirement to provide safe activities for children over a wide range of age. The minimum required area is 5,600 sf based on the 23 new mobile home lots which are proposed. The applicant is proposed an alternative children's play area consisting of 2,050 sf which will include play equipment (i.e.: swing set, spinner and a slide). The applicant further states that they propose to supplement the children's play area with a 9,546-sf walking trail around the perimeter of the expanded portion of the site and extending along the western boundary of the existing park area. The walking trail will consist of a 4' wide wood chip surface which will tie into the main access drive at two (2) points so that a complete loop is made. The walking trail will be completed with several park benches, foot bridges over the swale area and a gazebo. The applicant feels the modification is justified since the mobile home park primarily consists of residents who are age 55 and over. The also feel the proposed children's play area and walking trail will provide ample age appropriate and recreational opportunities for all of the residents.

The applicant in response to subsequent discussions, has revised the proposed walking trail to consist of crusher dust material instead of wood chips. A detail was added to Sheet 12.

### Section 307.A.1 – Basin Bottom to be 24' above Bedrock

The applicant is requesting a modification of this section as it requires that for above-ground storage facilities, the excavated basin bottom shall be 24" above the seasonal high-water table or bedrock limiting zones. As an alternative, since a basin is proposed which will incorporate a clay liner to prevent infiltration, we propose to excavate and remove any bedrock encountered during the basin excavation. The applicant believes this request is justified due to the soil probes which were excavated around the basin area indicating that there is no seasonal high-water table or bedrock within 24' of the design elevation of the basin bottom. The applicant notes that the northeast corner of the basin will be constructed into an area with observable rock outcroppings, i.e. bedrock. The applicant feels that based on the finding of the geologic study for the project, infiltration is not recommended or proposed. Therefore, the 24' separation between the basin bottom and the bedrock limiting zone is not critical. A seasonal high-water table is not anticipated within 24' of the basin bottom based on the results of the soil probe. Any bedrock that is encountered during the basin construction will be removed down to the level of the proposed clay liner.

Keith Martin made a motion, seconded by Gary Landis to approve the cost opinion in the amount of \$708,777.58 plus an additional amount to be approved by Hanover Engineering for the addition on a second fire hydrant and piping needed to connect to the proposed fire hydrant. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to approve the plan contingent on compliance with Hanover Engineering letter dated 3/23/22, acceptance of the legal documents by the Township Solicitor, installation of a second fire hydrant as noted at the meeting, utilization of 10% of plugs to replace partial seeding in the stormwater facility, and compliance with the Clay Township Mobile Home Open Space requirements as noted in the SALDO. \* The motion was unanimously approved.

3. Scott Witmer Stormwater Mgt Plan – Time Extension Request

Bruce Leisey reviewed the request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the requested time extension request to make a decision on the Witmer Stormwater Mgt plan until June 13, 2022. \* The motion was unanimously approved.

**Old Business**

None

**New Business**

1. Approve Advertising of Ordinance to Restrict Certain Trucks on North Clay Road

Township Staff informed the Board of Supervisors that since PennDOT has closed the bridge over Furnace Run on Hopeland Road for replacement, some larger tractor trailers have been ignoring the posted PennDOT detour and rerouting onto North Clay Road. The trucks are having a difficult time maneuvering the right-hand turn at the intersection of North Clay Road and Hopeland Road causing damage to the concrete wall located on the southeast corner of the intersection. The proposed Ordinance would restrict trucks with a trailer width of 102” and a length of over 28’ 6”. There was discussion on the type and size of signs required and if the restriction would be limited to the bridge closure or permanently.

Keith Martin made a motion, seconded by Gary Landis to approve advertising of the Ordinance for approval consideration at the April 26, 2022 Board of Supervisors meeting. \* The motion was unanimously approved.

2. PSATS – Authorize Township Manager as Voting Delegate and Share Direction on Proposed Bylaw Changes and Resolutions

After discussion, Gary Landis made a motion, seconded by Keith Martin to appoint Bruce Leisey as voting delegate and Gary Landis as the alternate delegate. The Board of Supervisors gave direction to the delegates on the proposed Bylaw changes and Resolutions. \* The motion was unanimously approved.

3. Review and Potentially Award Wissler Road Bridge Repair Bid

Township Staff reviewed the bids with the Board of Supervisors.

After discussion, Gary Landis made a motion, seconded by Keith Martin to award bid to the lowest bidder, Lobar Associates, Inc, 4 Barlo Circle, Dillsburg, PA in the amount of \$31,796.00 (bid tabulation is attached). \* The motion was unanimously approved.

4. Review and Potentially Award Hackman Road Overlay Bid

Township Staff reviewed the bids with the Board of Supervisors.

After discussion, Gary Landis made a motion, seconded by Keith Martin to award bid to the lowest bidder, New Enterprise Stone and Line Co, 62 Martindale Road, Ephrata, PA in the amount of \$209,171.00. A section of the project is located in Ephrata Township and they will pay for that portion in the amount of \$21,112.75 (bid tabulation is attached). \* The motion was unanimously approved.

5. Approve Resolution to Adopt 2018 International Building Codes issues by the International Code Council (ICC)

After discussion, it was decided to table a decision until Township Staff can discuss in more detail with the Township Building Code Official.

**Engineer's Report Cont**

1. Wyndale – Request for Extension to Record Plan

Township Staff reviewed the request with the Board of Supervisors.

After discussion, Gary Landis made a motion, seconded by Keith Martin to table a decision until the April 26, 2002 Board of Supervisors meeting. \* The motion was unanimously approved.

## **Executive Session**

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 9:25 PM to discuss personnel issues and potential litigation. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 10:15 PM. \* The motion was unanimously approved.

There was discussion on personnel issues and the YWAM Zoning Hearing Decision appeal.

Gary Landis made a motion, seconded by Keith Martin to accept the resignation of Michael Boyer as GIS Technician effective March 28, 2022. \* The motion was unanimously approved.

## **Bills to be Paid**

### **General Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$157,938.20 for the month of March. \* The motion was approved unanimously.

### **Rec Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$3,900.95 for the month of March. \* The motion was approved unanimously.

### **Sewer Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$4,173.50 for the month of March. \* The motion was approved unanimously.

## **Reports for the Month**

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. Planning Commission Minutes
4. Solicitor's Report
5. Engineer's Report
6. Manager's Report
7. Road Master's Report
8. Zoning Officer's Report

**Adjournment**

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 10:19 P.M. \* The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Keith Martin, Vice Chairman

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Gary Landis, Secretary