

CLAY TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
June 27, 2017

The Supervisors of Clay Township met on a regularly scheduled meeting date of June 27, 2017, at 7:00 a.m. 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 Timothy Lausch, Chairman, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Bruce Leisey, Township Manager and Earl Stauffer, Road Master were also in attendance.

Tim Lausch called the meeting to order at 7:00 a.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the minutes from the March 28, 2017 meeting as printed in the June 27, 2017 agenda. * The motion was unanimously approved, with Keith Martin abstained from the vote.

Visitors

None

Old Business

None

New Business

1. Road Master Update

Earl Stauffer, Road Master, reviewed his monthly report with the Board of Supervisors.

Ultra-thin paving and seal coating will be completed by mid-July. No completion date for paving overlay at this time. Most of the patching is completed.

There was discussion on purchase of picnic tables for Snyder #2 pavilion.

Keith Martin made a motion, seconded by Gary Landis to authorize the purchase of 12 8' wooden picnic tables from Kings Tables in Honeybrook at a cost of \$165 each for a total of \$1,980.00. * The motion was unanimously approved.

2. MS4 Update

Bruce Leisey, Township Manager, reviewed the requirements to land fill cinders collected from sweeping the roads, pumping and disposal of vehicle washing tank in Maintenance building and installation of an impervious concrete fueling pad.

It was decided to continue to stock pile cinders, use a third-party hauler to dispose of wash water waste and investigate options for installing a covered fueling pad.

3. Approve ECHO Housing Agreement – 400 Mountain Top Drive

After review, Keith Martin made a motion, seconded by Gary Landis to approve the ECHO Housing Agreement for Timothy & Donna Witmer, 400 Mountain Top Drive to construct second living quarters for parents attached to the existing single family dwelling. The addition will not have a kitchen and will not be considered a second dwelling unit for sewage purposes. * The motion was unanimously approved.

Engineer's Report

1. Approve Stormwater Management Agreement – 824 Hopeland Road

After review, Gary Landis made a motion, seconded by Keith Martin to approve the Stormwater Management Agreement for Beiler Properties, 824 Hopeland Road for construction of a new home on the property. * The motion was unanimously approved.

2. Time Extension – G&N Holdings

After review, Keith Martin made a motion, seconded by Gary Landis to approve the request for a 90-day time extension to take action on the Final Land Development Plan for G&N Holdings. New execution date is October 1, 2017. * The motion was unanimously approved.

**** Keith Martin excused himself from the meeting due to an conflict arising from his employment with the Developer for Countryside Enterprises ****

3. Countryside Enterprises – Subdivision Plan

Tom Matteson, Diehm & Sons, Bob Sisko, Developer Attorney, and Marlin Sensenig, Developer, met with the Board of Supervisors to discuss waivers of Section 602.E, 602.K.3, 602.k and 603.0.

Gary Landis made a motion, seconded by Tim Laush to approve the following waivers/modifications per the Hanover Engineering letter dated 4/20/17. * The motion was unanimously approved.

Section 303 – Preliminary Plan Application

The Applicant is requesting a waiver of the requirement to process a Preliminary and Final Subdivision Plan separately for all subdivision plans proposing four (4) or more lots, this Plan proposes seven (7). The justification provided is that the only improvements proposed on the Plan are the street extension and the stormwater facilities. The Owner, Marlin Sensenig, now has tenants for four (4) of these lots and all of the tenants wish to move ahead with planning for construction in the Spring/Summer of 2017. The applicant believes that the Plan meets the requirements for both Preliminary and Final Plans and that only one (1) review by the Township will be sufficient to ensure compliance with the Township's requirements.

Section 402.A.1 – Plan scale shall be 1" = 10', 20', 30', 40' or 50'

The Applicant is requesting a modification of the requirement for all plan sheets to be drawn at a scale of 1" = 10', 20', 30', 40' or 50'. The applicant notes that Sheet 2 has been drawn at a scale of 1" = 120', the justification provided for this is that in order to show the entire property, and the required additional 200' beyond the property limits, it was necessary to keep it on one (1) sheet. The applicant also notes that Sheets 9-11 have been drawn at a scale of 1" = 8'-, to permit the entire area of interest to be shown on one (1) plan sheets. The remaining sheets of the plan are drawn at a scale of 1" = 50'. The applicant notes that all plan sheets are legible in every detail.

Section 602.K – 60' right-of-way and 38' cartway for all streets

The Applicant is requesting a modification of the requirement to provide a 60' right-of-way and a 38' cartway for all streets. The applicant proposes a 28' wide cartway and a 50' right-of-way for Enterprise Road. The justification provided is that Enterprise Road will eventually be connected with the future extension of Sharp Avenue, which was constructed with a 28' cartway and a 50' right-of-way. The applicant notes that there are no residences along the proposed street and that parking will be prohibited along the street since each industrial use will be required to provide sufficient off-street parking. The applicant also notes, the additional width of the cartway, if required would add additional pavement to be maintained by the Township. Additionally, the applicant notes that the arrangement was discussed with and approved by the Township when the Tents for Rent building was approved. (** Note: The Township has not agreed to take dedication of the street and it is likely the additional payment reference would be the responsibility of the land owner and not the Township. Regardless the Board of Supervisors felt the waiver was justified for the other reasons mentioned.)

Section 604.D.4 – Reverse frontage lots are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired.

The Applicant is requesting a waiver of the requirement stating that reverse frontage lots are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired. The justification provided is that Lots 1 and 2 are provided with frontage on both the proposed street and Henry Appel Drive. Henry Appel Drive is a private street, which serves as access to Paul B Zimmerman and the dwellings on Lot 3. The applicant notes that Lot 1 has a connection to Henry Appel Drive as an emergency access, Lot 2 will likewise have an emergency only access to the private street. The applicant states that it is not feasible to subdivide the farm for industrial lots in accordance with its zoning classification without creating a new street through the property, which will create reverse frontage lots adjacent to Henry Appel Drive.

Stormwater Management Ordinance

Section 11-503.4 – Plan scale shall be 1" – 50' or larger

The Applicant is requesting a modification of the requirement for all plan sheets to be drawn at a scale of 1" = 10', 20', 30', 40' or 50'. The applicant notes that Sheet 2 has been drawn at a scale of 1" = 120", the justification provided for this is that in order to show the entire property, and the required additional 200' beyond the property limits, it was necessary to keep it on one (1) sheet. The applicant also notes that sheets 9-11 have been drawn at a scale of 1" = 8', the justification provided is to permit the entire area of interest to be shown on one (1) plan sheets. The remaining sheets of the plan are drawn at a scale of 1" = 50'. The applicant notes that all plan sheets are legible in every detail.

Gary Landis made a motion, seconded by Tim Lausch to approve the following deferral request until Lot #7 is developed. * The motion was unanimously approved.

Section 602.E and Section 602.K.3 – Improvement of existing streets

The Applicant is requesting a deferral of the requirement to complete improvements for the frontage between the intersection at Enterprise Road and the southern end of the frontage. The justification provided is that the Owner is improving the portion of Wood Corner Road between the northern end of the frontage and the intersection at Enterprise Road to install a right turn lane as recommended in the Traffic Impact Study.

Gary Landis made a motion, seconded by Tim Laush to defer the following waivers and deferral requests until each future individual lot is developed. * The motion was unanimously approved.

Section 602.V.12 – Sidewalks shall be provided along the property frontage and within the development

The Applicant has requested a deferral of the requirement to install sidewalks along all adjacent streets. The justification provided is that the surrounding area has no sidewalks within 1,000' of the site. The applicant notes that the existing Tents for Rent business and other future industrial business will not generate much, if any, pedestrian traffic. The applicant requests a deferral of the

requirement for sidewalks until such time as the Township deems necessary. The applicant notes that Note 26 has been provided on the cover sheet to make this requirement clear.

Section 603.B – Sidewalks required along all adjacent street

The Applicant has requested a deferral of the requirement to install sidewalks along all adjacent streets. The justification provided is that the surrounding area has no sidewalks within 1,000' of the site. The applicant notes that the existing Tents for Rent business and other future industrial business will not generate much, if any, pedestrian traffic. The applicant requests a deferral of the requirement for sidewalk until such time as the Township deems necessary. The applicant notes that Note 26 has been provided on the cover sheet to make this requirement clear.

Section 603.C.1 – Curbs shall be provided along all new streets and improved existing streets

The Applicant has requested a deferral of the requirement to install curbing along all new streets and improved existing streets. The justification provided is that each lot owner shall provide curbing across their frontage when they develop so that the curb can be coordinated with each lot's proposed entrance location. The applicant has also requested deferral of the curb along Wood Corner Road, south of Enterprise Road, noting that the curb shall be constructed anytime the Township deems it necessary. The applicant notes that Note 30 has been provided on the cover sheet to make this requirement clear.

Section 609.A – Buffer planting shall be provided along rear of reverse frontage lots

The Applicant is requesting a waiver of the requirement to provide buffer planting along rear of reverse frontage lots. The applicant notes that the presence of Henry Appel Drive makes Lots 1 and 2 reverse frontage lots. The justification provided is that Henry Appel Drive is a private street serving other commercial uses, it is not a collector or arterial roadway. The presence of the development on Lots 1 and 2 would be expected in such a location. It is noted that an existing access drive from Tents for Rent exists onto Henry Appel Drive and another future access connection from Lot 2 is likely.

Section 609.F.2.a – A 30-foot side landscaping screen shall be provided around the perimeter of the site.

The Applicant is requesting a waiver of the requirement to provide a 30' wide landscaping screen around the perimeter of the site. The applicant notes that the site has a large perimeter boundary that would make a landscape screen cost prohibitive considering other site improvements, both on and off site that the developer is already making. The applicant feels that the planting of a screen could interfere with the future construction activities on the lots. The applicant states that along the agricultural areas of the property it is not recommended to plant trees within close proximity to actively cultivated lands.

No decision was made on the following modification/waiver requests. The Board of Supervisors asked the developer to provide additional information including: 1) A list of anticipated waivers for lots with an identifiable developer. 2) A sketch plan of the configuration of the lots; a more detailed explanation as to how the entire subdivision will be developed and specifically to show that configuration of lots is necessary and is a minimum modification needed and that lots are

acceptable as proposed and won't create a need for additional waivers when lots submit land development plans which may negatively impact Township residents and visitors.

Section 602.0 – Maximum length of a permanent cul-de-sac shall be 600'

The Applicant is requesting a modification of the requirement for the maximum length of a permanent cul-de-sac to be 600', the applicant proposes a permanent cul-de-sac with a length of 1,439'. The justification provided is that the 36 acres to the rear of the farm is intended to remain as a farm, leaving the front area of the property to be developed for the industrial lots. The applicant notes that there is not sufficient width on the property to provide a loop street or any similar arrangement. Also noted, Henry Appel Drive provides for secondary access into the proposed development.

Section 604.D.3 – Lot shall not be less than one (1) nor more than three (3) times their width

The Applicant is requesting a waiver of the requirement for lots to not be less than one (1), nor more than three (3) times their width. The applicant notes that the issues with several of the lots are mainly caused by the location of the existing Enterprise Road. The applicant notes that Enterprise Road must be fixed at the center of the site's frontage on Wood Corner Road, and that the access drive installed for Tents for Rent is being converted to Enterprise Road. The applicant notes that Lots 2 and 6 are both less than one (1) times their width, the justification provided is that the width of the proposed lots is due to the width of the development site. The applicant also notes that Lots 4 and 5 are both more than three (3) times their width, the justification noted is that this is due to the location of the street and that the property's south perimeter juts out to a longer distance away from the street. The applicant also notes that Lot 3 is also more than three (3) times its width, the justification provided is that it is limited by the presence of the cul-de-sac bulb. The applicant feels as if all lots will work well for their intended purpose, as the Owner, Marlin Sensenig, already has buyers lined up for these lots.

Bill To Be Paid

Gary Landis made a motion, seconded by Tim Lausch to approve General Fund bills in the amount of \$3,874.00. * The motion was unanimously approved.

Adjournment

Gary Landis made a motion, seconded by Tim Lausch, to adjourn the meeting at 10:05 a.m. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary