

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
June 8, 2020

The Supervisors of Clay Township met on a regularly scheduled meeting date of June 8, 2020, 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, Jennifer Mejia of Mejia Law Group, Township Solicitor, and Bob Lynn of Hanover Engineering, Township Engineer.

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

Tim Lausch called the Meeting to order at 6:33 p.m.

**Meeting Minutes**

Keith Martin made a motion, seconded by Gary Landis to approve the May 11, 2020 meeting minutes. \* The motion was unanimously approved.

**Treasurer's Report**

Gary Landis made a motion, seconded by Keith Martin to approve the Treasurer's Report for the month of May 2020. \* The motion was unanimously approved.

**Visitors**

1. Lou Katz, 30 Meadow Drive

Mr. Katz expressed concern with the excessive truck traffic and speeding on Clay School Road all times of the day.

Bruce Leisey will contact the NLCRPD regarding concern.

2. Bernie and Eva Lynch, 10 Farmland Drive

Mr. and Mrs. Lynch expressed concerns with the property at 535 W Church Road. They stated the tenants are very loud, drag race on the road, have junk vehicles sitting around and burn trash in violation of the Clay Township burn regulations.

Tim Lausch recommended calling the Police on the issues of noise, racing and burning trash. Tim also said that the Zoning Officer is working with the property owners to eliminate the trash sitting around.

Mary Ann Weaver, 545 W Church Road stated that automotive items are being burned and numerous people are living in the house.

Tom Zorbaugh reinforced the fact that the Police should be called.

Dennis Steffy, 420 W Church Road stated that speeding has gotten a little better and that they are mostly speeding not drag racing past his house.

Tom Zorbaugh said that Police should be called when they are speeding or drag racing on the road.

Jeremy Johnson, 175 Ice House Hill Road stated that he agrees with the other complaints regarding the property.

Tom Zorbaugh said that unrelated people can live together in the same household, but it is limited in number.

Mary Weaver stated that they have added to the impervious area of the property.

Eva Lynch stated that they burn after dark.

The Board of Supervisors expressed appreciation to the residents for coming to the meeting. The Township Staff and Board of Supervisors will work to get the property in compliance with Zoning Ordinances violations. The Board of Supervisors encouraged the residents to call the Police on the noise, burning and speeding issues.

3. Lou Vittorio – DS Services

Mr. Vittorio gave presentation on DS Waters Alliance for Water Stewardship Certification Program. Mr. Vittorio also stated that DS Waters would be willing to help with MS4 Education and stream cleanup.

Gary Landis expressed concerns with truck traffic and the resulting road improvements.

Mr. Vittorio stated that DS Waters would be willing to discuss participation in road improvements.

### **Engineer's Report**

#### 1. Woodcorner Properties – Land Development Plan

Tom Matteson, Diehm & Sons and Mark Martin, Developer, reviewed the plan with the Board of Supervisors. The plan is for Lot 4 of the Countryside Enterprise subdivision. The plan proposes the construction of a new 71,780 sq ft building, stand-alone garage building, parking and loading areas. The plan proposes a stormwater management basin to control stormwater runoff from the site.

Gary Landis expressed concerns with potential stacking of trucks on Enterprise Drive during delivery times.

Mr. Martin gave an overview of daily traffic flow. There would be three delivery trucks making one or two deliveries from the building per day and they would have one or two deliveries per week of raw materials. He also stated that there would be no trucks waiting on road.

Gary Landis made a motion, seconded by Keith Martin to approve the following waiver/modification/deferral requests as outlined in the Diehm & Sons letter dated 6/4/20. \* The motion was unanimously approved.

#### Section 303 – Preliminary Plan Application

The plan has been prepared so as to meet all criteria of both Preliminary and Final Plans. The plan is simple in nature and is part of a larger, planned industrial development.

#### Section 409.B.2 – Environmental Impact Assessment required for buildings over 10,000 SF

The project is proposed in a planned industrial development (Countryside Enterprise). An EIA report was provided with the overall development. The existing property is actively cultivated, reducing any possibility of environmental impact. A PNDI inquiry has been provided that also confirms no environmental impacts.

#### Sections 402.D.4 and 10 – Layouts and profiles for the future access drive connections to the future extension of Enterprise Road should be shown on the plan

The site is located on the cul-de-sac of Enterprise road and is being provided with an access from the cul-de-sac bulb. However, in the future, if Enterprise Road is extended past the site to the west, a second access will need to be installed and the currently proposed access converted to a typical access drive. It is the interpretation of the Township Engineer that the design of these

future access drives is required to be shown on the current plan, however he has indicated support for a deferral of these requirements until such time as Enterprise Road is extended.

Section 602.V.12 and Section 603.B - Sidewalks

The surrounding area has no sidewalks anywhere within 1,000 feet of the site. The proposed business will not generate any pedestrian traffic. A deferral of the requirement for sidewalk until such time as the Township deems is necessary. General Note 17 is provided on the plan to make this requirement clear.

Section 602.N.2 – Safe stopping sight distances for future access drive entrances onto the future extension of Enterprise road should be shown on the plan

As noted in the discussion of Sections 402.D.4 and 10 above, there will be new access drive connections from the site to Enterprise Road if it is ever extended past the site. It is the interpretation of the Township Engineer that the safe stopping sight distances for these future access drives are required to be shown on the current plan, however, he has indicated support for a deferral of these requirement until such time as Enterprise Road is extended.

Section 603.A.2.b – Parking is not permitted in front of the building in the LI zone

The required parking has been located in the front yard between the cul-de-sac on Enterprise Road and the proposed building. The applicant desires to separate vehicular traffic from loading activities. Handling trusses requires a great deal of space. If all of the required parking were to be provided to the side or rear of the building, it would interfere with the loading and unloading activities. Enterprise Road is a private street. Several of the other plans in this Industrial Park have been granted this relief, so granting it here will be consistent with the remainder of the Industrial park. Landscaping has been provided to soften the front of the property. It is believed that this will be an attractive site even with the parking in front of the building.

Section 603.A.2.e – Parking shall be set back 30’ minimum from a building in LI zone

Most of the parking complies with this requirement. There are approximately six parking spaces (out of a row of eight) near the northeast corner of the building that will be closer than 30’ to the building. This is a great location for employee parking that is out of the way of loading and other trucking operations. There are also 20 potential future parking spaces that, if ever put in, would be closer than 30’ to the building. These other potential parking spaces are for the future if a use were to ever occupy this building that required additional parking. It is believed that none of these spaces will impose any hardship on the Fire Company in the event of an emergency within either building. A copy of the plan has been sent to the Fire Chief for his review.

Section 603.D.6 – Non-residential buildings containing 15,000 sf or more gross floor area shall be provided with two (2) separate and distinct means of access

The lot has limited frontage on Enterprise Road. It is acknowledged this was done as the design state for the Countryside Enterprise plan. However, at that time, it was unknown what use might occupy this property and whether this requirement would be applicable. It is possible to comply with this requirement by bringing an access drive from the residences on the adjacent Countryside Enterprise property over to the proposed parking lot. However, this is not desirable since it is not obvious for emergency personnel that they have access through the farm lot. It could also, in time, lead to traffic using this access. It is our understanding that this requirement is due to a concern

that if a large-scale development has one access point, and that access is blocked, there would be no access in time of an emergency. This plan proposes an alternative to rectify that. The plan proposed a 90' wide access onto the cul-de-sac. While this is unusual and would likely be undesirable along a normal road, it is believed this is acceptable at the terminus of a private street. The only traffic that will be coming into the cul-de-sac on a regular basis will be going to Superior Trusses. The 90' wide access is highly unlikely to be completely blocked by any emergency, thus providing a safe mean of access to the property under any circumstances. In the future, if the cul-de-sac is removed and Enterprise road is extended further west, this access could be narrowed where it connects to Enterprise Road and a second access added at the west end of the parking lot.

Section 609.E.4.c – Trees required interior to the parking lot

The plan provides for plentiful interior landscaping in the parking area, both proposed and future. Since all the parking is provided in single rows/aisles, providing an interior tree for every five parking spaces would require a landscape island every five parking spaces. That would be excessive and create an undue burden to the maintenance of the parking lot. Furthermore, the future parking along the southern property line is going to be truck maneuvering space for now and landscape islands would interfere with truck maneuvers. This plan requires 30 interior trees in accordance with this standard. A modification to provide seven of the required trees in the interior landscape island and the other 23 required trees immediately adjacent to the parking along the perimeter. This will provide a similar and nearly equal effect for the parking. The trees placed along the future parking on the southern property line will have the added benefit of reducing the heating effect of the loading area pavement.

Keith Martin made a motion, seconded by Gary Landis to approve the plan contingent on compliance with the Hanover Engineering letter dated 11/21/2019. \* The motion was unanimously approved.

2. Home Towne Square Phase 1 & 2 – As-Built Plans

Bob Lynn reviewed the as-built plans with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the as-built plans and calculations for Home Towne Square Phase 1 & 2 dated 8/27/19 and revised 5/4/20. \* The motion was approved unanimously.

**Old Business**

1. Office and Park Opening

The Township Manager informed the Board of Supervisors that the office will be re-opened to the public after shields and barriers are installed to provide a separation between Township Employees and the public.

After discussion, it was decided to keep Township parks closed and reevaluate when the County moves to the Green Phase. There was discussion on concerns with staffing requirements to maintain cleanliness in park bathrooms.

2. Update on Sewer I&I Project

Bob Lynn said the evaluation has been completed of the laterals that showed excessive flows and it could not be confirmed what the source of the flow was. The contractor's investigation indicated no flow at the locations.

The contractor is scheduled to commence work on the main line and manhole repairs beginning 6/8/20.

3. Resolution to Re-Open Lancaster County

After review, Gary Landis made a motion, seconded by Keith Martin to approve Resolution 060820 to Re-Open Lancaster County as presented by Bruce Leisey at the meeting. \* The motion was unanimously approved.

**New Business**

1. Schedule 2019 Audit Meeting

After discussion, the Board of Supervisors requested Bruce Leisey to obtain dates from Herbien to schedule an in-person meeting to review the 2019 Audit.

2. Continue Participation in County CDBG Program

After review, Keith Martin made a motion, seconded by Gary Landis to approve continued participation in the County CDGB Program. \* The motion was unanimously approved.

3. Review Summary of MS4 Storm Water Activities Report for 2019

Bruce Leisey gave a power point presentation of the 2019 MS4 Annual Report to the audience and Board of Supervisors. The Township Manager fielded questions from the Board and Audience.

#### 4. Township Manager Report

There was discussion on the timing of a possible update to the Clay Township Comp Plan, potential construction projects at the Township building complex, and a request for boring a water line under Wissler Road.

No decisions were made on any of the items.

#### **Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 10:20 PM to discuss personnel issues. \* The motion was approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 10:40 PM. \* The motion was approved unanimously.

No decisions were made.

#### **Bills to be Paid**

##### General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$134,481.73 for the month of May. \* The motion was approved unanimously.

##### Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$404.83 for the month of May. \* The motion was approved unanimously.

##### Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$4,022.60 for the month of May. \* 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**

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 10:44 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