

CLAY TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING MINUTES
May 2, 2017

The Supervisors of Clay Township met on a special scheduled meeting date of May 2, 2017, 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, Robert Lynn of Hanover Engineering, Inc., 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 7:01 p.m.

Meeting Minutes

None.

Treasurer's Report

None.

Visitors

Engineer's Report

1. Petition to Amend the Map of Clay Township Zoning Ordinance

Jennifer Mejia and Bruce Leisey informed the Board of Supervisors that mailings to properties in and adjoining the proposed rezoning area were mailed on March 30, 2017, public notice of special meeting was advertised in the Ephrata Review April 12, 2017 and April 19, 2017, and all four properties identified in the petition were posted on April 17, 2017.

Mark Stanley reviewed the proposed Amendment and detailed sketch plan with the Board of Supervisors. The petition is proposing to rezone 9.5 ac of AG land to R2 and eliminate the split

zoning of the parcel. Also proposed is to rezone a portion of the parcel along Rt 322 from AG to NC approximately 26.95 ac extending 450' deep into the lot. The remainder of the property 27.53 ac is proposed to remain AG. There are three parcels located on the south side of RT 322 in AG however, each of the parcels has been improved with commercial buildings and it is proposed to rezone those parcels to NC.

The proposed 9.5 ac and 3 parcels along RT 322 to be rezoned are not currently being farmed.

Mark stated that some R2 and NC land in Clay Township is on preserved farms and will not be developed. He pointed out that 27 ac of this farm will remain AG zoning and there is a preserved farm to the North and flood plain to the East which create natural barriers for further expansion.

The size of the NC lot will control impacts on traffic and environmental.

Richard Stauffer addressed the Board of Supervisors regarding the Amendment. Rick stated that he purchased Clay School Acres in 1992 and improved it from a mobile home park to a retirement village. Rick said there is a need for additional homes for retirement village concept. His plan is to develop an age restricted community. He feels that there is a need for affordable housing. At this time, he has no plans for the commercial zoning. He said the 450' depth was determined to minimize loss of AG land from this proposal. He estimated the loss of actual tillable farm land at 4.5 acres for NC zoning.

Bob Lynn reviewed the letter received from the Lancaster County Planning Commission. Bob stated that the LCPC made no recommendation, just noted facts regarding village growth shortage of R2, urban growth area excess for R2 and the total excess of R2 housing thru 2040.

Hanover Engineering and Staff review of housing units available in Urban and Village growth areas imbalance. The review indicates housing available does meet the needs thru 2040.

The review also noted no net loss rezoning of AG land since at least 1993.

Tim Lausch asked if the Township can do a partial Comp Plan.

Bob Lynn said yes, some parts of the current Comp Plan still viable today.

Gary Landis asked when will the County Comp Plan update be completed.

Bob Lynn said approximately January 2018.

Gary Landis asked what the estimated cost of doing a Comp Plan would be.

Bob Lynn said could range from \$20,000 to \$150,000 (expect \$50,000 range).

Gary Weaver, 2044 W Main St, stated if his property was rezoned it would be more beneficial. If rezoned back to LI his parcel would be conforming.

Tim Bollinger, 2010 W Main St, stated that he bought the property in 1998 and developed under LI zoning and then became a non-conforming use. He stated that he has had issues with non-conforming use with updating signs, expansion and bank financing issues. He is in support of the rezoning so his parcel would no longer be a non-conforming use.

Marlene Rutt, 2063 W Main St, stated she has concerns with traffic. There is already a high volume between 11,000 and 14,000 vehicles per day on RT322. She said at Walmart in the east end of Ephrata, there is 21,000 vehicles per day.

Leonard Rutt, 2063 W Main St, stated 495 ac R2 will meet growth goals till at least 2030. He stated we have viable locations for NC already.

Jaylene Weaver, 275 N Clay Rd, said tax bills go up as land is developed and development increases flooding and pollution.

Brenda Landis, 110 Yummerdall Rd, said that her grandchildren are the 7th generation on their family farm located in Clay Township. She said residential land use cost \$1.37 for \$1.00 tax for the school district, Ag and open land cost \$.56 for \$1.00 tax for the school district and industrial/commercial cost \$.18 for \$1.00 tax for the school district.

Walter Horst, 690 Clearview Rd, asked if we need more business' in Clay Township. He feels more business' will bring customers from out of the area. How will they get here?

Tom Zeager, 1540 K-Ville Rd, thanked everyone for the calmness at the meeting. He would prefer to keep the township as rural as possible. He does agree with fixing non-conforming business parcels. Possibly we need more business for jobs?

Ralph Kurtz, 245 Durlach Rd, stated his land is farmed by 4th generation. He feels a Comp Plan is not a bad thing.

Nate Ziesemer, 101 Durlach Rd, feels the Township should address the issue with Meadow Valley Elec and an updated Comp Plan would be a smart approach. He doesn't see a shortage of residential zoning. Once land is developed it's gone. He said increase taxes if needed.

Nate Kurtz, 245 Durlach Rd, asked if we should reward developers for buying farms zoned AG and developing them. 68% of Ag land in Clay Township – not much more than half.

Mike Martin, 2050 W Main St, stated it is difficult to find land for manure disposal. He feels it could be a real issue in the Township in the next 10 years.

Christian Landis, 82 Durlach Hill Rd, sated that Ag land is needed to feed the hungry mouths in this country.

Jon Price, 106 Forry Dr, feels that the Township needs to look at zoning and planning for long range. He feels a Comp Plan needs to be done. He recommends rejections of the plan and do a new Comp Plan. He also stated that the new Comp Plan should reflect no not loss of Ag land.

Nicole King, 245 Durlach Rd, stated she works at a farm in Clay Township and she feels that the majority of the people are against the proposal. Every acre of AG land counts.

Jo Myrdal, 1630 Furnace Hill Rd, stated don't fix what isn't broke

Ralph Kurtz, stated that good AG land is only 35% of total land in Clay Township

Levi Zimmerman, stated that if the vote is yes, the Board of Supervisors is not doing their job

Neil Ward, West Earl Township, stated that a transportation study should be done before rezoning. He said residential clustering should be done. He also feels the Township should be protected from urban sprawl.

Randy Harris, Lancaster, stated attraction of community is important. Demolition of neglected buildings is taking place. He suggested looking into a Comp Plan revision, which would be the best for the community.

Mark Stanley said the key is to manage and control growth. He stated AG is a critical part of who we are in Lancaster County but, that doesn't mean all rezoning should be rejected. Mark said he is a big believer in managed and controlled growth and feels this is good planning.

Keith Martin made a motion, seconded by Gary Landis to close testimony. * The motion was unanimously approved.

Gary Landis stated that the Township's request for a MS4 Permit waiver has been declined and the Township could spend tens of thousands of dollars for compliance. Also, the five year road plan does not cover all the work that needs to be completed.

Keith Martin thanked everyone for coming out tonight and sharing their comments. There were pro and con reasons for this rezoning project presented. Keith would like to see a Comp Plan revision that would result in a net loss of tillable acres. He felt that it made sense for the rezoning on the south side of RT322 but not prepared to do that at this time. He is more concerned about saving tillable acres not total AG land.

Keith Martin said he would be receptive to starting the process of a Comp Plan revision.

Gary Landis said he is not ready to commit to beginning the process of a Comp Plan revision without knowing the financial impact to the budget.

Tim Lausch said that before moving forward with a Comp Plan revision, the 2018 and 2019 budget should be reviewed.

Tim Lausch stated that the present and past Board of Supervisors have not been a board to gobble up AG ground.

Gary Landis said that the growth report that was shared by Township Staff does not support the need to add additional R2 or NC zoning at this time. He stated that R2 development costs more in taxes. Gary said that he feels Clay Township already provides enough of premanufactured housing options.

Gary Landis stated he feels the transportation plan and budget should be updated for the rezoning.

Gary Landis also feels that the rezoning is in violation of Resolution 1-20-93.

Keith Martin stated that he feels Resolution 1-20-93 intent was to preserve AG land. There is other R2 and NC land that is not developed at this time.

Gary Landis made a motion, seconded by Keith Martin to deny the petition to amend the map of Clay Township Zoning Ordinance. * The motion was unanimously approved.

Tim Laush stated that as monies become available, the Township Staff and Board of Supervisors should start working on revising the Com Plan. He stated that it is an important responsibility of the Board of Supervisors to do planning for the future of the Township. He also feels that it would be premature to approve the petition at this time.

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:35 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary