

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
September 11, 2017

The Supervisors of Clay Township met on a regularly scheduled meeting date of September 11, 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 Keith Martin, Vice-Chairman and Gary Landis, Secretary. Tim Lausch, Chairman was absent due to a work conflict.

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.

Keith Martin called the Meeting to order at 7:05 p.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the August 14, 2017 meeting minutes as printed in the September 11, 2017 Agenda. * 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 August 2017. * The motion was unanimously approved.

Visitors

None

Engineer's Report

1. 138 Bloomfield Drive – Landscape Buffer Easement Modification

Sharen and Mike Redcay are requesting permission to replace a dead evergreen tree with skip laurel bushes, dwarf butterfly bushes, black-eye susan and knockout roses. The landscape is in a Landscape Buffer Easement approved with the Land Development Plan for Clearview Gardens development.

The Redcays stated that they have approval from the Clearview Gardens HOA to replace the plantings.

During discussion it was noted that there may be other trees within the Landscape Buffer Easement that are failing. It was agreed that Township Staff will inspect the trees.

After discussion, The Board of Supervisors felt the new plants met the intent of the Landscape Buffer Easement.

Gary Landis made a motion, seconded by Keith Martin to approve the requested landscape changes. * The motion was unanimously approved.

2. Weiler Walls – Land Development Plan #16-11

Tom Matteson, Diehm & Sons, reviewed the plan with the Board of Supervisors. The plan is proposing to develop a 21,300 sf building and associated infrastructure on a 5.542 acre lot.

There was discussion on the waivers specifically related to landscaping.

Gary Landis made a motion, seconded by Keith Martin to approved the following waivers, deferral and modifications at outlined in the Hanover Engineering letter dated 8/25/17. * The motion was unanimously approved.

Section 303.A – Preliminary Plan Application

The applicant is requesting a waiver of the requirement to process a separate Preliminary and Final Land Development plan. The justification provided is that the plan is simple in nature and is part of a larger, planned industrial development. The applicant believes that the plan meets the requirements for both Preliminary and Final Plans.

Section 409 – Environmental Impact Assessment Report required for buildings over 10,000 square feet

The applicant is requesting a waiver of the requirement to provide an Environmental Impact Assessment Report for buildings over 10,000 sf. The applicant notes that the proposed building, at full build-out, is proposed to be 21,300 sf. The applicant notes that the building will be located in a planned industrial development. The justification provided is that an Environmental Impact Assessment Report has been provided with the overall development. The applicant further notes

that the existing property is actively cultivated, reducing any possibility of environmental impact. The applicant has included a PNDI receipt that also confirms no environmental impacts are known.

Section 602.V.12 and Section 603.B.1 – Sidewalks

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 feet of the site. The applicant notes that the proposed business will not generate 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 19 has been provided on the Cover Sheet to make this requirement clear.

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

The applicant is requesting a modification of the requirement for parking to be setback 30-feet from a building in the LI zone. The justification provided is that there is minimal amount of parking proposed within 30 ft of the proposed building. The applicant feels that moving the parking out of the 30 ft area would be a waste of space for this plan. The applicant also notes that it would push the ADA parking further away from the building’s entrance.

Section 609.E.4.b, Section 609.E.4.c and Section 609.E.4.d(3) – Interior parking lot landscaping, trees required interior to the parking lot, and landscape islands required every 10 spaces or at the end of every parking row

The applicant is requesting a modification of the landscape requirements to provide interior parking lot landscaping, to provide the trees required interior to the parking lot, and to provide landscape islands required every 10 spaces or at the end of every parking row. The applicant proposes that in lieu of parking lot landscaping located on islands within the parking lot, the plan proposes landscaping to be placed between the parking lot and Enterprise Road, and along the parking lot on the east side of the property. The applicant notes that the disbursement of the landscaping in these areas will provide the aesthetic, environmental and buffering functions that trees planted in interior islands would provide, while allowing the owner more efficient snow plowing operations.

**It was noted that the developer will supply the same number of trees at other places on the lot.

Section 609.F.2.a – Screening

The applicant is requesting a modification of the requirement to provide a high level and low-level screen around the perimeter of the property adjacent to the public street. The applicant feels that a completely screened buffer is not advisable from a policing and security standpoint. It could also make it difficult from those who need to find the business to locate it. The applicant proposes that instead of a complete visual screen both high level and low level, the plan proposes a row of shrubs to screen the parking and additional street trees. The applicant feels that the proposed landscape plan will create an attractive environment along Enterprise Road. The proposed modification is consistent with other project involving parking lot projects within the Township,

which have been approved without the high level and low-level buffers (Paul B Zimmerman, Two Cousins Pizza, The Udder Choice, etc.)

**It was noted that the developer will supply the same number of trees at other places on the lot.

Gary Landis made a motion, seconded by Keith Martin to approve relief from Chapter 10, Section 104 b and 104 h to install a 6' and 8' high chain link fence with solid slats to screen the storage area in compliance with the Zoning Ordinance. * The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to grant conditional approval contingent on compliance with the Hanover Engineering letter dated 8/25/17 and after the final approval and recording of the Countryside Enterprises Subdivision Plan. * The motion was unanimously approved.

3. First Response Team of America – plan overview #17-01

Tom Matteson, Diehm & Sons, Jim Hughes and Kurt Williams, Salzmann & Hughes PC, reviewed the plan with the Board of Supervisors. The intent of the review was to introduce the plan and discuss the proposed waivers, not for plan approval.

The developer informed the Board of Supervisors that some of the same waiver requests were related to its desire to have the ability to sub-lease portions of the building for other LI uses, which included light manufacturing.

The Board of Supervisors informed the developer that they had some reservations to the potential of sub-leases.

There was an agreement to require a note on the plan stating “before uses are added by sub leasing, compliance with Land Development requirements would need to be reviewed.

4. Weaver Excavating – As-Built Plan Waiver and Escrow Release

Bob Lynn reviewed the escrow release with the Board of Supervisors. Bob recommends a reduction in the amount of \$592.88 and retain balance for as-built plans and contingencies.

The Board of Supervisors denied the request of a waiver of As-Built Plans based on the nature of the land use.

Gary Landis made a motion, seconded by Keith Martin to approve escrow release in the amount of \$592.88, leaving a balance of \$2,408.93. * The motion was unanimously approved.

5. Two Cousins – Approval of Updated Cost Opinion

Bob Lynn reviewed the updated Cost Opinion supplied by the Developer with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve updated Cost Opinion amount of \$570,702 and authorize the Township Manager to release existing Letter of Credit with BB&T when new Letter of Credit in amount of \$570,702 is received. * The motion was unanimously approved.

Old Business

1. Charity Gardens HOA – request to plant trees on park property

This item was tabled at this time until. The Township Manger will get a recommendation from the Park & Rec Board.

2. Furnace Hill Road, Camp Road and West Girl Scout Road Storm Water Issues

Bob Lynn updated the Board of Supervisors on the progress of identifying the issues that exacerbated stormwater runoff during the recent storms.

No decisions were made at this time.

New Business

1. Request for Payment for the Snyder Park Pavilion Project

Bob Lynn reviewed the payment requests with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve payment #6 on Contract #2 in the amount of \$3,329.60 to Spotts Brothers. * The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to approve payment #6 on Contract #3 in the amount of \$2,143.44 to AKC Mechanical. * The motion was unanimously approved.

2. MS4 Sediment Reduction Plan Approval

Bob Lynn informed the Board of Supervisors that notice was advertised on 7/26/17 that the Board of Supervisors will receive public comment on proposed CBPRP until 8/25/17. No comments were received during that time.

Gary Landis made a motion, seconded by Keith Martin to approve the CBPRP and to forward to PA DEP and authorize the Township Manager to sign application. * The motion was unanimously approved.

3. Clay School Road Traffic Concerns

Bruce Leisey reviewed a letter that was received from Wynne Cloud, 110 Bloomfield Drive expressing concerns with traffic issues along Clay School Road and Snyder Lane.

After discussion, it was decided that the Township Manager will inform Mr. Cloud that the Board of Supervisors will research accident history in the area and possible resolutions to the concerns.

4. Approve 2018 Pension MMO

After review, Gary Landis made a motion, seconded by Keith Martin to approve the 2018 Minimum Municipal Obligation (MMO) in the amount of \$13,855, of which \$13,855 is projected to be funded by State Aid. * The motion was unanimously approved.

5. 2017 Sealcoat Projects

The 2017 sealcoat bids were not completed as of 9/11/17. Due to concerns with the Fall weather and the shortened daytime window to complete the work, The Board of Supervisors authorized the Roadmaster to notify the contractor that the sealcoating bids will not be completed and the Township Manager will send written notice to contractor.

Bills to be Paid

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$45,974.44 for the month of August. * The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$9,329.62 for the month of August. * The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$4,275.63 for the month of August. * The motion was approved unanimously.

Reports for the Month

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

Adjournment

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

Clay Township Board of Supervisors

_____ ABSENT _____
Timothy Lausch, Chairman

_____ _____
Keith Martin, Vice Chairman

_____ _____
Gary Landis, Secretary