

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
February 11, 2013

The Supervisors of Clay Township met on a regularly scheduled meeting date of February 11, 2013, 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; Justin Harnish, Vice-Chairman and Keith Martin, Secretary.

Clay Township employee present was Bruce Leisey, Township Manager. Also present were Bob Lynn of Hanover Engineering, Inc., Township Engineer and Jennifer Mejia of Shirk and Mejia, Township Solicitor.

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

Timothy Lausch called the Meeting to order at 7:00 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Justin Harnish, to approve the January 7, 2013 meeting minutes as printed in the February 11, 2013 agenda. * The motion was approved unanimously.

Keith Martin made a motion, seconded by Tim Lausch, to approve the January 14, 2013 meeting minutes as printed in the February 11, 2013. Justin Harnish abstained from the vote because he was absent from meeting. * The motion was approved unanimously.

Treasurer's Report

Justin Harnish made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of January, 2013. *The motion was approved unanimously.

Visitors

1. Lou Katz, 30 Meadow Drive

Mr. Katz explained that two weeks ago the water line from his residence to the curb stop broke. Ephrata Water Authority said that Clay Township is responsible for installation inspections. Mr. Katz said that the line was installed in 2007.

Bruce Leisey will contact Ephrata Water Authority regarding inspection responsibilities.

No other decisions were made at this time.

2. Herb Noack, 216 Woodchuck Drive

Mr. Noack asked for a status of the speed limit signs.

Earl Stauffer, Road Master, will install signs in the near future as weather allows.

No other decisions were made at this time.

Engineer's Report

1. Eastern Mennonite Publications – Land Development Plan

Ted Cromleigh, Developers Engineer, reviewed the updated plan with the Board of Supervisors.

Justin Harnish made a motion, seconded by Keith Martin to grant approval of the following waivers/modifications for the Eastern Mennonite Publications Land Development Plan. * The motion was unanimously approved.

Section 402.C.3.b – Significant features within 200 feet of the project site

The applicant is requesting a modification of the requirement to provide all significant features located within 200 feet of the project site on the plan. The justification provided is that the scope of the building addition and related pavement is limited. The applicant states the proposed stormwater pipe is being discharged into an existing engineered swale that is shown on the plan. The plan also accurately shows the existing storm sewer improvements on the project site and the adjacent Paul B. Zimmerman lot. The plan shows all existing features within 100 feet of the site. The applicant feels that showing additional significant features up to 200 feet is not necessary as those features will not be affected by the limited improvements proposed.

Section 409.B.3 – Environmental Impact Statement

The applicant is requesting a waiver of the requirement to provide an environmental impact statement. The justification provided is that the proposed building addition, parking and loading area are all located on existing lawn areas directly adjacent to the existing infrastructure. The wetland report has indicated there are no wetlands on the property. The applicant also feels that the exiting use and proposed improvements won't result in any undue and/or extraneous noise, vibration, odors, dust, fumes or air pollution.

Section 603.A.1.j – Parking lots with more than 20 spaces shall be provided with raised curbing

The applicant is requesting a modification of the requirement to provide raised curbing in parking lots with more than 20 spaces. The applicant indicates that the existing parking lot has 20 spaces and the project proposes to add six (6) additional spaces. The existing parking area does not have raised curbing and the parking lot is designed to sheet flow the stormwater runoff. The applicant also states that concrete wheel stops are proposed on the new parking, this is consistent with the existing parking area.

Section 603.A.2.b – Parking requirements within the Limited Industrial District

The applicant is requesting a waiver of the requirement to meet the parking related requirements of the Limited Industrial District. The justification provided is that the Township has deemed the side of the building where the door and existing parking lot is as a front yard. The plan only proposes six (6) additional spaces in the parking lot that currently has 20 spaces.

Section 603.A.2.e – Parking shall not be located closer than 30 feet to the Building

The applicant is requesting a modification of the requirement that parking spaces shall not be located closer than 30 feet to a building. The proposed layout has a 22 foot separation distance. The justification provided is that the proposed parking is an extension of an existing parking lot that was permitted far closer to the building than is proposed at this time.

Section 603.B.1 – Sidewalks along Wood Corner Road

The applicant is requesting a deferral of the requirement to install sidewalks along Wood Corner Road. The applicant indicates that sidewalk was deferred in 2009 when the lot and existing building plans were approved. The applicant wishes to continue the deferral until the time that the Township requires them to be installed. The plan includes a plan not on Sheet 1.

Sidewalks will be deferred until the time that road improvements are made and all property owners install sidewalks along Wood Corner Road.

Section 609.F.2.a – A 30 foot planting strip around the perimeter of the property and a 50 foot planting strip adjacent to residential uses

The applicant is requesting a modification of the requirement to provide a 30 foot planting strip around the perimeter of the site and a 50 foot planting strip adjacent to residential uses. The

justification provided is that a mixture of shrubs and shade trees has been provided in lieu of the landscaping required by the ordinance. Also the applicant has provided signed exhibits from the adjacent homeowners: Mahlon H & Esther Mae Herr, Arlene Zimmerman, Gary L & Barbara A Martin, and Eugene and L Leane Musser stating that they do not wish to have the landscaping installed that will block their view from the adjunct scenery. The applicant also notes that a similar request was made and granted for the prior subdivision/land development plan submission for the site. The site is presently completely developed, and the applicant feels that the proposed expansion represent minor changes to a small area of the site.

Section 612.B.4 – Masonry Building Construction Requirements

The applicant is requesting a waiver of the masonry building construction requirements. The justification provided is that the applicant was granted a waiver in 2000 to construct a building that did not meet the listed requirements. The applicant is requesting that the waiver be granted in order to permit the expansion of the existing building in the same manner.

Section 613.A – Hydrogeologic Report

The applicant is requesting a waiver of the requirement to provide a geologic report for the proposed site. The applicant indicates that the site is located within carbonate geology; but indicates that there are no infiltration or detention facilities proposed. The applicant has included notes on Sheet 1 regarding the involvement of the Township and a qualified professional should sinkholes develop or be discovered during construction.

Section 403.E.4.f – A Land Development Agreement shall be provided to the Township

The applicant is requesting a waiver of the requirement to provide an executed Land Development Agreement. The applicant has agreed to include the necessary language from the Land Development Agreement as to the Stormwater Agreement to be executed by the applicant and Township.

Justin Harnish made a motion, seconded by Keith Martin to grant approval of the Eastern Mennonite Publications Land Development Plan contingent on compliance with the Hanover Engineering letter dated 1/23/13, a Cost Opinion Guarantee in the amount of \$53,213.39, a Memorandum of Understanding regarding Improvement Guarantee, and a Stormwater Management Agreement. * The motion was unanimously approved.

2. Willis & Joanne Lefever Revised Storm Water “As Builts”

Bob Lynn reviewed the Hanover Engineering letter dated 8/30/12 with the Board of Supervisors.

Justin Harnish made a motion, seconded by Keith Martin to accept the Lefever “As Built” Plans.
* The motion was unanimously approved.

3. Hometowne Square Final Plan Phase II – Time Extension

Justin Harnish made a motion, seconded by Keith Martin grant a 90 day time extension to render a decision on the Hometowne Square Final Plan Phase II. The new deadline is May 18, 2013. * The motion was unanimously approved.

4. Charity Gardens – Storm Water Pipe Inspections

Bob Lynn reviewed the cost estimates for the televising and joint repairs of the stormwater pipes located in the Clay Township portion of Charity Gardens with the Board of Supervisors.

Keith Martin made a motion, seconded by Justin Harnish to televise only the 2,821 feet of pipe located in the Township right-of-way and televise, pressure check and repair, if needed, the 209' in easements which are the responsibility of the Home Owners Association. * The motion was unanimously approved.

New Business

1. Approve 2012 Municipal Waste Load Management Report (Chapter 94)

Keith Martin made a motion, seconded by Justin Harnish to approve forwarding the 2012 Chapter 94 Report compiled by Clean Water to DEP. * The motion was unanimously approved.

2. Park & Rec Grant

Keith Martin made a motion, seconded by Justin Harnish to approve attendance at DCNP CR P2 in Enola, PA on Wednesday, February 13, 2013 to prepare for applying of grant funds for the new Snyder Park. * The motion was unanimously approved.

3. Traffic Concerns on Clay School Road

Bob Lynn and Earl Stauffer are gathering information to discuss with the Board of Supervisors.

4. Penn-Dot Issues

Residents along Mt Airy Road and Kleinfeltersville Road have informed the Township Manager of stormwater concerns.

The Board of Supervisors authorized The Township Manager to contact Penn-Dot to discuss issues.

5. Approve Advertising for Bids

Justin Harnish made a motion, seconded by Keith Martin to approve advertising for paving upper parking lot and additional advertising for the park parking lot. * The motion was unanimously approved.

Visitors – Cont

3. Dale Ulrich, 505 W Church Road

Mr. Ulrich voiced his displeasure with the fact that the Board of Supervisors was a party to the Kevin & Robin Ulrich zoning hearing and the manner in which the Township Representatives participated in the hearing.

After discussion, the Board of Supervisors authorized the Township Manager to obtain a copy of the hearing transcript for review.

No other decisions were made at this time.

Executive Session

Justin Harnish made a motion, seconded by Keith Martin to enter into Executive Session at 9:00 PM to discuss personnel issues. * The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to exit Executive Session at 9:45 PM. * The motion was unanimously approved.

No decisions were made at this time.

Bills to be Paid

General Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$26,229.43 for the month of January. *The motion was approved unanimously.

Rec Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$490.21 for the month of January. *The motion was approved unanimously.

Sewer Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$5,931.04 for the month of January. *The motion was approved unanimously.

Liquid Fuel Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Liquid Fuel Fund bills totaling \$2,665.04 for the month of January. *The motion was approved unanimously

Reports for the Month

- 1. Chief of Police / Police Department
- 2. Fire Companies / Ambulance
- 3. DMR
- 4. Engineer's Report

Adjournment

Justin Harnish made a motion, seconded by Keith Martin, to adjourn the meeting at 10:05 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Justin Harnish, Vice-Chairman

Keith Martin, Secretary