

The 2340th meeting of the Upper Leacock Township Board of Supervisors was held on Thursday, April 21st, 2022 at 6:30 p.m. Chairman Ron Simmons, present; Vice Chairman Harold J. Leaman, present; Supervisor Nelson Bard, present; Township Manager Michael H Morris, present; Solicitor William Cassidy, present; Township Engineer Brian Kauffman, present and Secretary/Media Coordinator Joy Witmer, present.

Chairman Simmons called the meeting to order and then asked all present to rise and recite the Pledge of Allegiance.

Vice Chairman Leaman made a motion to **approve** the **March 17, 2022** minutes. Supervisor Bard seconded the motion. The motion passed.

Conditional Use Hearing – Continued From March 17, 2022 Board of Supervisors Meeting:

Villas at Twin Maples - 2355 New Holland Pike – Conditional Use Application

In attendance Tom Nehilla and Gabe Wertz of Barley & Snyder; Sandy Kime, ELA Group; Nate & Valarie Kapp, Developer; Jeff and Sue Long, Roselyn Ayers, Ivan R. Stoltzfus, Charles Wendy and Scott Fitts, Mervin Beiler, Carolyn Groff, Beth Landis, Steve Wagler and Ben Fisher neighbors to proposed development.

Mr. Nahilla began with a reminder to the Board of Supervisors of the communication that was asked to happen between the Developer and The Worship Center on a walking trail. The Worship Center is not comfortable having a walking trail on their property due to safety for the children at Lancaster County Christian School as well as The Worship Center. There is also the question of maintenance for the path.

Mr. Simmons asked if they would be willing to do the fee in lieu of. Mr. Nahilla said yes they would pay the fee in lieu of recreation.

Mr. Groff stated concerns for children that may live at Twin Maples or are visiting. Where will they play? There would be no recreational area for them, Route 23 is a busy road for them to be crossing for recreational areas.

Mr. Fitts asked for clarification about the acreage needed to have a recreational area. Mr. Nahilla said it would be four more acres.

Ms. Groff has a neighboring property that is wooded. She would like to have a fence installed to prevent children from playing in the wooded area on her property.

Ms. Lloyd daughter of a neighboring property also has woods that adjoin the property and would also like a fence. She also asked how the number of tenants in one rental will be regulated. Mr. Nahilla said they will regulate thru leases.

Mr. Cassidy closed the hearing and stated the Board has 45 days to make a decision.

Vice Chairman Leaman made a ***motion to table the Conditional Use application for the Villas at Twin Maples 2355 New Holland Pike until the May 21, 2022 Board of Supervisors meeting.*** Supervisor Bard seconded the motion. The motion passed.

Recognition of Guests:

None

Public Comments:

None

Old Business:

None

New Business:

Dart Container Modification of Section 308 of the SWM Ordinance

Supervisor Bard made a *motion to approve a modification to Section 308 of the Stormwater Management Ordinance to allow the installation of rain gardens for water quality treatment in lieu of volume control infiltration, since the infiltration rates on the site are too low to permit the applicant to meet the volume control requirements.* Vice Chairman Leaman seconded the motion. The motion passed.

Dart Container Financial Security

Vice Chairman Leaman made a *motion to set the financial security amount for the Truck Dock and Employee Parking project at Dart Container at \$55,844.80.* Supervisor Bard seconded the motion. The motion passed.

EG Outdoor Products Final Land Development Plan

Supervisor Bard made a *motion to approve the Final Land Development Plan for E.G. Outdoor Products at 2570 Horseshoe Road, contingent upon addressing the comments in RETTEW's 3/18/22 review letter and coordinating fire service with the Upper Leacock Fire Company.* Vice Chairman Leaman seconded the motion. The motion passed.

EG Outdoor Products Financial Security Reduction Request No. 1

Supervisor Bard made a *motion to approve the reduction of financial security for the EG Outdoor Products property to \$227,747.00 contingent upon the applicant addressing the four E&S issues in RETTEW's 4/14/22 review letter.* Vice Chairman Leaman seconded the motion. The motion passed.

King Garden Apartments Land Development Waiver Request

Supervisor Bard made a *motion to approve the Land Development Waiver Request for King Garden Apartments at 2624, 2626 and 2628 Creek Hill Road, contingent upon meeting all zoning requirements and securing appropriate building and zoning permits.* Vice Chairman Leaman seconded the motion. The motion passed.

Kettering Leola Review of Revised Final and As-Built Plan

Vice Chairman Leaman made a *motion to accept the grant of extension to June 16, 2022 to review the Revised Final and As-Built Plan for the Kettering Leola subdivision on Strawberry Street.* Supervisor Bard seconded the motion. The motion passed.

Elam and Mary Esh Financial Security Reduction Request No. 1

Vice Chairman Leaman made a *motion to reduce the financial security amount for the Elam and Mary Esh property at 286 Monterey Road to \$7,198.75 currently, and to completely release the financial security upon receipt of an acceptable as-built plan and post-construction infiltration testing.* Supervisor Bard seconded the motion. The motion passed.

Amos and Sadie Lapp Sewage Facilities Planning Module

Supervisor Bard made a *motion to approve Resolution 2022-09, Resolution for Plan Revision for New Land Development to revise the Township's Act 537 Official Sewage Facilities Plan for the Amos and Sadie Lapp project at 305 Quarry Road.* Vice Chairman Leaman seconded the motion. The motion passed.

Zoning Officer Report:

Township Manager Michael Morris wanted to ensure the Board that if there are continued violation issues with repeat properties, the Zoning Office will follow procedures to get properties cleaned up. He notified Zoning to vigorously enforce our Ordinance with repeat offenders.

Planning Commission:

No comments

Supervisors Concerns:

Chairman Ron Simmons said he received an email from Diane Tyson concerning the CV Rec Steering Committee and Upper Leacock Townships lack of representation. She stated there is a tight timeline as the grand ends in December. The goal is to have a draft framework to present to the partners by the end of the summer. Ms. Tyson stated that Judy Hertzler is now the ULTWP representative and if she can't attend a meeting there should be another person to be at the meeting in her place. *(However, it should be noted that at the February 9, 2022 meeting Mr. Crawford was present, the March 9th meeting was cancelled and the meeting on April 13 was not confirmed.)* Mr. Morris stated that his thought was to have someone from the Township's Planning Commission be on the Committee. Mr. Crawford and his wife attended several meetings and decided they had too many obligations to continue, so Mr. Morris reached out to Ms. Hertzler from the Planning Commission and asked her to be on the committee and she said she would. Ms. Hertzler stated she has missed one meeting and did not know about that meeting until the day of when she got an email from Joy Witmer at Upper Leacock Township and already had plans and could not attend the meeting that evening. Ms. Hertzler will continue to be on the committee and will reach out to them for future information concerning the CV Rec Steering Committee.

Solicitors Report:

The Supervisors discussed the draft of an Ordinance for Extended Stay at a hotel. A lot of good information was gathered from the Zoning officer. The thought is to have an Ordinance that would also include Airbnb's. Brian Kauffman said he is willing to work with the Solicitor to come up with more definition for this Ordinance since he has had experience writing them.

Payment of Bills:

March 15, 2022 to April 7, 2022

GENERAL	\$217,961.84
WATER	\$55,860.57
SEWER	\$70,794.07
STORMWATER	\$3,213.00
TOTAL	\$347,829.48

STATE/LIQUID FUELS PAYMENTS \$976.50
Rettew \$976.50

TOTAL GENERAL FUND RECEIPTS \$391,032.67

Vice Chairman Leaman made a ***motion to pay bills totaling \$347,829.48.*** Supervisor Bard seconded the motion. The motion passed.

Correspondence:

Trick-or-Treat policy will be to follow East Lampeter Township because of sharing the police department.

There were no additional comments about the letter from **DEP for Act 537 Planning at 2570 Horseshoe Road.**

Letter from Diane Arment concerning the Noise Ordinance. Township Manager Michael Morris said he would research other Municipalities Noise/Fireworks Ordinances and will bring information back to the May Board of Supervisors meeting for discussion.

Executive Session & Manager's Report 8:20 p.m.

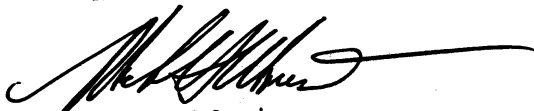
The regular meeting reconvened at 9:20 p.m.

Vice Chairman Leaman made a **motion to have the Township Solicitor sign a motion of Stay for Eid Appeal.** Supervisor Bard seconded the motion. The motion passed.

Supervisor Bard made a **motion to a salary increase due to increased responsibilities for Joy Witmer.** Vice Chairman Leaman seconded the motion. The motion passed.

With a motion by Supervisor Bard and seconded by Vice Chairman Leaman, the meeting was **adjourned** at 9:20 p.m. The next meeting of the Board of Supervisors is scheduled for May 19, 2022 at 6:30 p.m. at the Upper Leacock Township Municipal Building.

Respectfully Submitted,



Michael H Morris
Township Manager