

The 2341st meeting of the Upper Leacock Township Board of Supervisors was held on Thursday, May 19th, 2022 at 6:30 p.m. Chairman Ron Simmons, 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.

Supervisor Bard made a motion to **approve** the **April 21, 2022** minutes. Chairman Simmons 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

1. A motion was made by Supervisor Nelson Bard and seconded by Chairman Ronald Simmons to approve the requested design modifications under Section 210.1 (Building Height from 35 feet to 50 feet).
2. A motion was made by Supervisor Nelson Bard and seconded by Chairman Ronald Simmons to approve the requested design modification under Section 316.V.3.B.i (for the number of parking spaces between interior landscape islands from 10 to 11).
3. A motion was made by Supervisor Nelson Bard and seconded by Chairman Ronald Simmons to approve the requested design modification under Section 316.V.2 seeking narrower widths to the side and rear landscape strips to be less than 10 feet.
4. A motion was made by Supervisor Nelson Bard and seconded by Chairman Ronald Simmons to approve the request for the conditional use for a multi-family dwelling on the property, subject to the following conditions:
 - A. The Applicants obtaining all approvals required by the applicable Township ordinances and state or federal laws or regulations.
 - B. Complying with the requirements set forth in Section 616 of the Upper Leacock Township Subdivision and Land development Ordinance regarding Park & Recreation Areas and specifically to include providing for mandatory dedication of on-site land to meet such requirement.
 - C. The Applicants complying with and adhering to the evidence presented to the Board at the hearings held on March 17, 2022 and April 21, 2022.
 - D. Providing screening as a buffer between the proposed multi-family units and the existing landscape business, specifically between Building A and the landscape business.
 - E. Providing an acceptable exhibit showing the building façade and landscaping for the Route 23-facing side of Building A.
 - F. Providing a fence along the eastern property line of the project.
 - G. Providing a fence along the western property line of the project.
 - H. Providing a fence along the northern property line of the project.
 - I. Providing documentation establishing that the owner of condominium unit 4 consents and agrees with the utilization of a portion of that unit for the multi family dwelling use.
 - J. Any violations of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the MPC.

- K. The foregoing conditions shall be binding upon the Applicants, their heirs, personal representatives, and assigns.

Recognition of Guests:

Jennifer Cruverkibi of **Maher Duessel** gave the Supervisors a report on the 2021 Audit for Upper Leacock Township. There were no additional comments or questions.

Supervisor Bard made a *motion to accept the 2021 Audit*. Chairman Simmons seconded the motion. The motion passed.

Public Comments:

None

Old Business:

None

New Business:

Lancaster Farmland Trust discussed the results of Farmer Meetings. Every farm that has a minimum of 10 acres in Upper Leacock Township was visited by Lancaster Farmland Trust. (195 farms) There were 40 new plans by Team Ag and there is one farm on South Groffdale Road that is in Phase 3. Information that has been gathered will be shared with the Township from LFT.

Supervisor Bard made a *motion to approve the Land Development Waiver Request for William Poole Family Dentistry at 21 East Main Street, contingent upon meeting all zoning requirements and securing appropriate building and zoning permits*. Chairman Simmons seconded the motion. The motion passed.

Amos and Sadie Lapp (305 Quarry Road) – Revised Final Plan

Supervisor Bard made a *motion to approve the request for waiver of Section 301.11.2 of the Stormwater Management Ordinance, Flow and Easement Directly to a Watercourse, since there is adequate area onsite to dissipate basin outflows before the downstream property line*. Chairman Simons seconded the motion. The motion passed.

Supervisor Bard made *motion to approve the Revised Final Plan for Amos & Sadie Lapp at 305 Quarry Road, contingent upon addressing the comments in RETTEW's 5/11/22 review letter*. Chairman Simons seconded the motion. The motion passed.

Yoder Industries (97 Groffdale Road) – Preliminary/Final Land Development Plan

Supervisor Bard made a *motion to approve the waiver of Section 402.05.5.6 of the Subdivision and Land Development Ordinance*. Chairman Simmons seconded the motion. The motion passed.

Supervisor Bard made a *motion to approve Section 303.C.a.4 of the Stormwater Management Ordinance, Minimum Pipe Diameter to allow 12" diameter pipe*. Chairman Simons seconded the motion. The motion passed.

Supervisor Bard made a *motion to approve the Preliminary/Final Land Development Plan for Yoder Industries at 97 Groffdale Road, contingent upon addressing the comments in RETTEW's 4/22/22 review letter.* Chairman Simmons seconded the motion. The motion passed.

Frank Chlebnidow of RETTEW followed up on Development Density.

Information was presented to the Supervisors as a follow-up from a previous meeting. Surrounding Municipalities have an average of 35' height restriction in their R2 districts. Two Contractors, Garman Builders and Vanguard Development Group have done developing in the Township were asked what their opinion is about building up. Three story building with walk up does not require an elevator like a larger building would. Also, the character of a larger building would not fit into Upper Leacock Township. The fire departments in the Township would not have an issue with a building height of 60 feet.

Township Supervisors would like this information given to the Planning Commission for their review at their next meeting.

Zoning Officer Report:

No comments

Planning Commission:

No comments

Supervisors Concerns:

Chairman Simmons asked about the sidewalks at Hellers Church Road and how far they would continue West on 23. Brian Kauffman stated they will stop at Wilson Avenue on the North side of 23 because they are on the South side of 23.

Solicitors Report:

Supervisor Bard made a *motion acknowledging the Rezoning Request at 61 Hess Road, Leola PA - Joseph and Ada Stoltzfoos - acknowledge of request.* Chairman Simmons seconded the motion. The motion passed.

Payment of Bills:

April 8, 2022 to May 11, 2022

GENERAL \$210,249.31

WATER \$73,659.36

SEWER \$118,825.84

STORMWATER \$0.00

TOTAL \$402,734.51

STATE/LIQUID FUELS PAYMENTS \$180.00

Rettew \$180.00

TOTAL GENERAL FUND RECEIPTS \$819,123.50

Supervisor Bard made a *motion to pay bills totaling \$402,734.51*. Chairman Simmons seconded the motion. The motion passed.

Correspondence:

Letter from Tim & Kim Scott - 307 Sun Valley – Block Party

Both Supervisors in attendance agreed they like the idea of community togetherness, but they also agree it could be held on the front lawns instead of closing down a street. If there would be an emergency it would be difficult for vehicles to get through.

Adopted PSAT's Resolutions

There were no additional comments.

Manager's Report:

Noise Ordinance examples from surrounding Municipalities were sent out to Supervisors for consideration of adoption. Manager Michael Morris stated he prefers a simple Ordinance for Fireworks, specifically stating the dates and times that they are allowed in the Township. He asked the Solicitor to present a Draft for the Supervisors at the next meeting.

Executive Session:

With a motion by Supervisor Bard and seconded by Chairman Simmons, the meeting was **adjourned** at 8:51 p.m. The next meeting of the Board of Supervisors is scheduled for June 16, 2022 at 6:30 p.m. at the Upper Leacock Township Municipal Building.

Respectfully Submitted.



Michael H Morris
Township Manager