

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 13, 2013

The Supervisors of Clay Township met on a regularly scheduled meeting date of May 13, 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 and Keith Martin, Secretary. Justin Harnish, Vice-Chairman was absent.

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 7:05 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Tim Lausch, to approve the April 8, 2013 meeting minutes as printed in the May 13, 2013 agenda. * The motion was approved unanimously.

Treasurer's Report

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

Visitors

1. Lou Katz

Mr. Katz inquired about a lot owned by Glenn Wissler at the corner of Meadow and Bloomfield Drive which is the last lot not developed in Clearview Gardens and has no sidewalk installed. He asked when the sidewalk must be installed.

The Board of Supervisors will research the issue and respond back. No other decisions were made at this time.

2. Herb Noack

Mr. Noack has concerns with his perception of lack of police presence in the area and vehicles are still speeding.

The Board of Supervisors will look into his concerns. No other decisions were made at this time.

Mr. Noack also voiced concern with vandalism at Charity Gardens Park. He stated that someone had put sticky stuff on benches.

The Road Master will take a look at the benches. No other decisions were made at this time.

Engineer's Report

1. HomeTowne Square – Time Extension Phase II

Keith Martin made a motion, seconded by Tim Lausch to approve the requested time extension to make a decision on HomeTowne Square Phase II plan. The new expiration date is 8/16/13. * The motion was unanimously approved.

2. Bethany Gardens III – Land Development Plan

The Township Manager informed the Board of Supervisors that the Developer will be making a request for a time extension at its June meeting.

No other decisions were made at this time.

3. Roger & Jolene Weaver – Subdivision Plan

Ted Cromleigh, Representative for the Developer, reviewed the Weaver subdivision plan with the Board of Supervisors. The property currently consists of five (5) tracts on one (1) deed. The

subdivision plan will create four (4) separate lots (one flag lot and one lot already has home built on it).

Keith Martin made a motion, seconded by Tim Lausch to approve the following waivers/modifications/deferrals. * The motion was unanimously approved.

Section 303.A – Preliminary Plan Application

The applicant is requesting a waiver of the requirement to provide a Preliminary Plan Application. The justification provided is that the applicant considers the project to be relatively small, proposing only four (4) new lots on 25.77 acres. One of the proposed lots currently contains an existing single-family dwelling and no new construction or excavation is being proposed by this plan. The applicant also states that individual land development/stormwater management plans for Lots 2, 3 and 4 will be submitted to the Township for review in the future.

Section 402.A.1 – Plan scale shall be 1”=10’, 20’, 30’, 40’, 50’

The applicant is requesting a modification of the requirement to provide the plans at a scale of 1”=10’, 20’, 30’, 40’ or 50’. The application shows the plan at a scale of 1”=100’. The justification provided is that the existing property is 25.77 acres in size and in an effort to depict the entire parent tract on a single plan, sheets 2 and 3 are drafted at a scale of 1” = 100’. The applicant feels that all features are shown legibly at that scale. The applicant also has states that individual land development/stormwater management plans for Lots 2, 3 and 4 will be drafted at an acceptable plan scale prior to being submitted to the Township for review in the future.

Section 402.B.(10) – Location Map drawn to the scale of 1” = 800’

The applicant is requesting a waiver of the requirement to provide a location map drawn at the scale of 1” = 800’. The application shows the location map at a scale of 1” = 2,000’. The justification is that the existing property is 25.77 acres in size and creating a location map to place the property in context at the required scale would require a very large map. The applicant feels that the provided location map with a scale of 1” = 2,000’ is legible and provides sufficient detail to place the site in context.

Section 407 – Wetlands Study

The applicant is requesting a modification to provide a complete Wetlands Study for the proposed subdivision plan. The justification is that the Wetlands Study that has been submitted with this application covers Lots 2, 3 and 4 in their entirety. The applicant indicates that Lot 1 has not been included in the study because it contains existing improvements including an existing house, well and septic system and that no improvements are proposed for Lot 1.

Section 602.E and Section 602.L.2.A – Improvements of cartway width, street paving, and shoulders along the Furnace Hill Road frontage of Lots 1, 2, 3 and 4 (width, clearance beyond shoulders etc.)

The applicant is requesting a deferral of the requirement to provide the existing street improvements to meet the current street standards for new street. The justification provided is that the applicant feels the frontage along Furnace Hill Road is adequately constructed and the internal improvements proposed will have little impact on the road frontage of the property. The existing

roadway width is 21 feet wide. The applicant also indicates that the proposed lots will contain adequate off-street parking and no parking is proposed along Furnace Hill Road.

Section 602.K.3 – Improvements of existing streets and intersections

The applicant is requesting a waiver of the requirements to provide the required improvements to Furnace Hill Road. The justification provided is that the project will not generate additional traffic flow to Furnace Hill Road and that the site is set within a rural setting with limited future growth potential.

Section 603.B.1 – Sidewalks shall be provided along the entire length of any lot fronting streets in the AT Zoning District

The applicant is requesting a deferral of the requirement to provide sidewalks along the entire length of any lot in the Agricultural Transition (AT) Zoning District. The justification provided is that the site is in a rural area and is comprised of forested woodland, there are no sidewalks presently installed along Furnace Hill Road.

Section 603.C – Curbing

The applicant is requesting a deferral of the requirement to provide vertical curbing. The justification provided is that the site is in a rural area and is comprised of forested woodland. The applicant notes that there is presently no curbing or sidewalk along Furnace Hill Road.

Clay Township Stormwater Management Code of 2004 (Cocalico Creek Watershed Act 167 Stormwater Management Code)

The applicant is requesting a deferral from providing a plan, following procedures and implementing a program pursuant to the Clay Township Stormwater Management Code. The applicant has noted that the waiver would only be granted as a temporary measure only, due to the fact that the current subdivision is proposed for estate planning purposes. Additionally, the applicant has indicated that the following notes have been placed on the cover sheet under the section noting waivers and deferrals and on the resulting deeds that states;

“Prior to issuance of any building or other permits for Lots 2, 3, and 4, the owner shall be in compliance with the more restrictive of the then applicable provisions of the Clay Township Stormwater Management Code and the applicable stormwater management provisions of the Clay Township Subdivision and Land Development Ordinance then (at the time of the application) in effect or those in effect on February 6, 2013.”

“Owner shall not complete any land disturbance activity until owner has received written approval of a Stormwater Management site plan from the Township or its designee.”

Keith Martin made a motion, seconded by Tim Lausch to grant conditional approval contingent on compliance with the Hanover Engineering letter dated 5/10/13. * The motion was unanimously approved.

4. Clay Car Company Property – Sewage Disposal

Ted Cromleigh, representative for Robert, Chad and Korey Fox, stated that the Foxes plan to purchase Clay Car Company property to open a creamery. The Foxes are looking at a private pressure line sewage system which would run along Mr. Fox's farm into the pump station located on Clearview Road.

The Board of Supervisors are not opposed with the pressure line hook-up to the pump station at Rt 322 and Clay School Road if Borough is acceptable to the hook-up. The Board of Supervisors informed the Foxes that if sewer service is extended along Rt 322 to the property, they would be required to abandon the pressure line hook-up and connect to the public sewer line along Rt 322.

No decisions were made at this time.

5. Countryside Enterprises – Subdivision Land Development Plan

The Township Manager and Township Engineer discussed requirements and classification of paving areas shown on the plan. It was determined loading or parking areas must meet paving specifications as established in the Clay Township SALDO. Other maneuvering area are not required to be paved to specifications.

No other decisions were made at this time.

** Keith Martin abstained from the conversation because of a conflict with Countryside Enterprises.

6. Ephrata Community Church – Resolution to Accept Dedication of three tracts of land

Keith Martin and Tim Lausch approved Resolution 051313 to accept three (3) tracts of land located near Clay School Road and Rt 322 for dedication to the Township. * The motion was approved unanimously approved.

Old Business

1. Wildflower Pond

Jennifer Mejia informed the Board of Supervisors that a letter was sent to the Developers Attorney regarding emergency service road access. As of this date, no response has been received. Repairs on the sinkhole on the Echternach and Kimmet property have not yet begun.

No decisions were made at this time.

2. Charity Gardens Pipe Inspection

Bob Lynn reviewed the two (2) lowest quotes for televising the storm water pipes in Charity Gardens development.

Keith Martin made a motion, seconded by Tim Lausch to award the televising project of the storm water pipes in Charity Gardens to USG, Inc. Camp Hill, PA at a cost of \$.92/ft 15" pipe, \$.64/ft 18" pipe, \$.83/ft 24" pipe and \$.96/ft 30" pipe as per proposal dated 4/29/13. * The motion was approved unanimously.

New Business

1. Approve Tax Refund Requests

Keith Martin made a motion, seconded by Tim Lausch to approve the real estate tax refunds for parcel # 070-70785-0-0000 in the amount of \$35.11, parcel # 070-21619-0-0000 in the amount of \$111.48 and parcel # 070-95685-0-0000 in the amount of \$29.89. * The motion was unanimously approved.

2. Approve Rock Road Bridge change order and request for payment

Keith Martin made a motion, seconded by Tim Lausch to approve Change Order #4 which adjusted quantities to actual in the amount of \$3,503.00. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Tim Lausch to approve Payment Request #4 in the amount of \$8,785.38 and Final Payment Request #5 in the amount of \$3,788.09. * The motion was unanimously approved.

3. Award Parking Lot Bids

Keith Martin made a motion, seconded by Tim Lausch to award parking lot bid to Martin Limestone Inc. accepting Bid 2, 3 and Alt 5. Bid #3 will be paid out of the REC capital fund and other will be paid from the GENERAL fund. Bid tabulation is attached. * The motion was unanimously approved.

An Agreement will be prepared and executed with the Fire Company documenting Fire Company's knowledge of paving plans. All efforts will be made to coordinate paving around scheduled activities at the Fire Company.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$59,463.49 for the month of April. *The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$3,017.64 for the month of April. *The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Sewer Fund bills totaling \$4,260.18 for the month of April. *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

Keith Martin made a motion, seconded by Tim Lausch, to adjourn the meeting at 9:40 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

ABSENT
Justin Harnish, Vice-Chairman

Keith Martin, Secretary