

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 9, 2023

The Supervisors of Clay Township met on a regularly scheduled meeting date of October 9, 2023, 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. The meeting agenda was posted in accordance with the Second-Class Township Code and the Sunshine Law.

Supervisors present were Tim Lausch, Chairman, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Also, present was Bruce Leisey, Township Manager, Wendy Hackman, Administrative Assistant, Jennifer Mejia, Township Solicitor and Bob Lynn of Hanover Engineer, Township Engineer.

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

Tim Lausch called the Meeting to order at 6:33 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Gary Landis to approve the September 11, 2023 meeting minutes. * The motion was unanimously approved.

Treasurer's Report

Gary Landis made a motion, seconded by Keith Martin to approve the Treasurer's Report for September 2023. * The motion was unanimously approved.

Visitors

1. Ephrata Recreation Center

Jim Summers, Director, spoke on behalf of the Ephrata Recreation Center.

Jim Summers informed the Board of Supervisors that he would be retiring in December from the Rec Center. Jim reviewed the numbers for the Summer Municipal Recreation program which were down in 2023 compared to previous years. Jim explained that the Rec Center has added new programs to reach out to different groups of children but, also explained that the Rec has had trouble obtaining volunteers to run the programs.

The 2024 donation request is \$7,437.00.

The Board of Supervisors shared their appreciation for all the work the Rec Center does for the community and congratulated Jim on his retirement.

Engineer's Report

1. Wildflower Commons – Escrow Reduction Request

Bob Lynn reviewed the escrow reduction request with the Board of Supervisors. The applicant recently completed a new structure and associated site improvements. A reduction of the escrow in the amount of \$212,979.10, leaving a balance to complete the improvements in the amount of \$126,692.50 has been requested.

Gary Landis made a motion, seconded by Keith Martin to approve the escrow reduction request in the amount of \$212,979.10 as outlined in the Hanover Engineering letter dated 10/3/23. * The motion was approved unanimously.

2. Steve and Julia Nolt – Modification to SALDO As-Built Requirements

Bob Lynn reviewed the modification request to accept the recorded NPDES as-built plans as Township as-built plans. The applicant has completed all improvements but has not constructed two of the proposed storage unit buildings. The construction of the buildings has been accounted for in the completed stormwater management improvements.

Keith Martin made a motion, seconded by Gary Landis to approve the modification as outlined in the Feuhrer Associates letter dated 10/4/23. * The motion was approved unanimously.

3. Woodcorner Properties – Escrow Release Request

Bob Lynn reviewed the escrow release request with the Board of Supervisors. The applicant has completed punch list items and as-built plan revisions. The applicant is requesting release of the remaining escrow in the full amount of \$13,350.00.

Gary Landis made a motion, seconded by Keith Martin to approve escrow release in the full amount of \$13,350.00 as outlined in the Hanover Engineering letter dated 10/5/23. * The motion was approved unanimously.

4. YWAM – Continuation of Hearing for Zoning Amendment

Tim Lausch opened the hearing at 6:53 PM.

Dwight Yoder representative for YWAM reviewed the overall project and overlay with the Board of Supervisors and audience. YWAM is requesting a Campus Overlay District for two parcels in the current Limited Industrial (LI) District.

Dwight expressed his appreciation for all the neighbors concerns and comments but, expressed that the Township will have control of development with the overlay district and the submission of required conditional use application.

Letters of support were presented from Ephrata Community Church, John Lehman, DOVE Westgate Church, Ron Martin and Paul and Janice Breneman.

The hearing was opened to the audience for comments.

Justin Harnish asked what development can be completed on the property with LI zoning and campus overlay. Does this affect all LI properties.

Tim Lausch stated that the overlay is only being requested for the YWAM two parcels. Any development done by YWAM would need to follow the campus overlay guidelines.

Ralph Kurtz stated that Norman Kurtz is his uncle and he is aware that the old Twin Pine lot was gifted to YWAM but the Woodcorner lot was purchased by YWAM. Ralph feels that the program that YWAM is running is good work but doesn't feel that the Township should rezone LI land. Ralph stated that the Township has worked hard in the past to zone the land to LI and YWAM bought the property knowing what it was zoned. Ralph feels that a campus setting in that area is not a good fit. Ralph pointed out that there will be campus housing all along the border of the Zimmerman farm and this could potentially lead to issues with farming practices.

Levi Zimmerman stated that traffic is already heavy in that area with all the current housing.

Justin Harnish asked where the overlay would be a permitted use if not in LI zoning.

Dwight Yoder said in Neighborhood Commercial zoning.

Gerald Martin asked if the campus overlay would restrict the construction of farm buildings on surrounding properties.

Bob Lynn stated that the campus overlay will not add any new restrictions to surrounding properties.

Keith Martin stated that possibly since an odor management plan would be required for specific new farm buildings, the campus may increase the BMP's than currently required.

Gerald Martin stated that the current commercial uses in the area are ok with the smells that occur with farming, but he worries if the same will apply when a campus is in place.

Chris Landis said that he is concerned with the additional planning costs that farmers will incur when building if the campus overlay is approved. He feels there is a need in the Township for the LI zoned land and now the Township is considering taking it away for a campus.

Paul Hill asked what the proposed buildings along the Zimmerman farm will be used for.

Dwight Yoder stated that those proposed buildings will be for campus housing. It could be students, staff or families visiting. The housing would be used as flex space and not lived in year-round.

Dwight Yoder explained that the Master Site Plan being shared is a 20-year vision for the property. The plan details all the dreams that YWAM has for the campus at build out but, plans could change. YWAM's intentions are to develop the property without affecting the surrounding properties.

Lance Kurtz stated he understands that the entire plan is not being approved at this time but, that the farmers are looking ahead into the future and have concerns with the proposed development of the property.

Brenda Landis asked if there will be dorms on the campus, what are the ages of the students and if they will be co-ed dorms.

Dwight Yoder stated that approval was given from the Clay Township Zoning Hearing Board to have a 40-person co-ed dorm.

Luke Weaver stated that they have a very discipleship program at YWAM for students.

Brenda Landis stated that kids are kids and who is going to cover the costs for potential police incidents.

Mark Martin asked how many people could potentially be on campus at one time. He expressed concerns with people on campus having issues with the smells that can happen with farming and concerns with where the students will go during free time.

Glen Hursh expressed concerns with housing more people in that area and where the students will go.

Alex Hurst stated that he has attended mission trips with YWAM and supports the work they are doing with the younger generation. He also understands the concerns of the local community.

Sam Brubaker expressed concern with students wondering off the YWAM property and onto the business properties located near the campus. He is concerned for the safety of the students and the liability of the of the property owners. He feels the campus is not a good fit in this location.

Joshua Martin stated that he feels housing and business uses should be kept separate. He said there is already a lack of LI land available.

Roger Martin asked if the zoning overlay would be permanent for the properties.

Bob Lynn stated that the overlay would stay with the properties.

Roger Martin asked when the B&B Ordinance revision will be approved.

Jennifer Mejia stated that the Township is currently working on a Short Term Rental Ordinance (Air B&B) which is separate from the B&B Ordinance.

Roger Martin asked if a B&B is permitted in LI zoning.

Dwight Yoder stated the B&B currently located on the property is a permitted use.

Glenn Zimmerman stated that when he purchased the farm next to the property it was zoned LI and he didn't have concerns, but he is worried about what will happen in the future if the campus overlay is approved.

Kevin Haller expressed his support for the work that YWAM is doing.

Justin Harnish stated that Lancaster County is a very diverse place to live and work. He is appreciative of the relationship that the Township has with the local non-profit organizations.

Mark Martin stated that he would be ok with a campus on a much smaller scale than proposed.

Gerald Martin stated he feels the campus causes potential liability issues for the surrounding property owners when people from out of the area are being housed there for extended times.

Darryl Zimmerman stated he would like to see the land kept zoned LI for future use and feels it is not a good spot for a campus of that scale. Possibly a smaller campus would fit.

Jennifer Mejia stated that there have been several meetings to discuss the proposed campus overlay with a good turn out at each meeting.

Gary Landis stated that he feels YWAM is a great program but also hears the concerns and hopes of the local farmers and business owners.

Keith Martin asked if the issues with noise control has been added to the proposed ordinance.

Jennifer Mejia stated that it can be added to the proposed ordinance. The ordinance would need to be reviewed by the Lancaster County Planning Commission and Clay Township Planning Commission again before final confirmation of approval by the Board of Supervisors.

Dwight Yoder stated he felt the noise control could be addressed at the conditional use level but is ok with adding it to the campus overlay zoning.

Jennifer Mejia stated that time parameters would be set in the ordinance and could be expanded by permit if necessary.

Keith Martin made a motion, seconded by Gary Landis to close public comments and questions at 8:20 PM.

There was discussion among the Board of Supervisors regarding concerns with noise, campus use on the woodcorner lot, current mixed use of the Twin Pine lot and proposed uses in the future.

Keith Martin made a motion, seconded by Tim Laush to approve the campus overlay on Lot #1 (Twin Pine) and remove Lot #2 (Woodcorner Rd) from the campus overlay and include parameters for noise control in the Campus Overlay Ordinance. * Tim Lausch and Keith Martin voted yes, and Gary Landis voted no.

Jennifer Mejia explained that the Campus Overlay Ordinance will be revised with the changes and will be sent to the Lancaster County Planning Commission for review, the Clay Township Planning Commission will review and final confirmation of the adoption will be done by the Board of Supervisors at a future meeting.

The Board of Supervisors thanked everyone for coming out to the meeting and sharing their thoughts and concerns.

Old Business

1. Discussion on Fueling Station and Relocation of Salt Shed

There was discussion on the proposed project.

It was agreed that Tim Lausch will gather quotes for the project to be presented at a future meeting.

New Business

1. Approve Payment of LCATS Dues for 2024

Keith Martin made a motion, seconded by Gary Landis to approve payment in the amount of \$30.00 for the yearly dues to the Lancaster County Association of Township Supervisors. * The motion was approved unanimously.

Executive Session

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:08 PM to discuss personnel issues. * The motion was approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 9:48 PM. * The motion was approved unanimously approved.

There was discussion on personnel issues, no decisions were made a this time.

There was discussion on the Snyder Pavilion #1 roof repair project. Tim Lausch expressed concerns with the condition of the decking which cannot be determined until the shingles are taken off. Bob Lynn did not recommend bidding the project out till a determination of condition could be made.

There was discussion on repairing the roof with public works staff labor.

Tim Lausch reviewed the quotes that he received to replace the roof with shingles, 5 rib panel and standing seam with texture.

Keith Martin made a motion, seconded by Gary Landis to authorize Tim Lausch as a public works employee to complete the roof repair project with the assistance of the public works department. The estimated cost of the project will be \$12,579.00 for standing seam with texture. * The motion was unanimously approved with Tim Lausch abstaining from the vote.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$207,806.00 for the month of September. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$1,621.72 for the month of September. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$5,688.70 for the month of September. * The motion was approved unanimously.

Reports for the Month

- 1. EMS Providers
- 2. Engineer's Report
- 3. Manager's Report
- 4. Zoning Officer's Report

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:55 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary