

CLAY TOWNSHIP BOARD OF SUPERVISORS  
MEETING MINUTES  
August 27, 2024

The Supervisors of Clay Township met on an advertised meeting date of August 27, 2024, at 7:00 AM 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 also posted in accordance with the Second-Class Township Code and the Sunshine Law.

Supervisors present were Timothy Lausch, Chairman, Keith Martin, Vice President and Gary Landis, Secretary.

Wendy Hackman, Administrative Assistant, Robert Lynn, Hanover Engineering and Jennifer Mejia, Mejia Law Group were present.

Tim Lausch called the meeting to order at 7:00 AM.

**Meeting Minutes**

Gary Landis made a motion, seconded by Tim Lausch to approve the July 23, 2024 meeting minutes. \* The motion was unanimously approved with Keith Martin abstaining from the vote.

**Visitors**

None

\*\* Keith Martin excused himself from the Board and participated from the audience for the first engineering item on the agenda \*\*

**Engineer's Report**

1. A Keith Martin – Lot Add-On Plan #24-05

Ted Cromleigh and Keith Martin reviewed the plan. The plan proposes to subdivide a 3.754 acre parcel from a 78.21 acre lot and join in common with a 46.19 acre lot owned by the applicant. It was noted that the parcel was created when the turnpike was constructed and will be used for agriculture.

Gary Landis made a motion, seconded by Tim Lausch to approve the following modification/waiver/deferral requests as outlined in the Hanover Engineering letter dated 8/21/24.

\* The motion was unanimously approved.

Section 402.A.1 – Plan drawn clearly and legibly at 10,20,30,40 or 50 feet to the inch

The applicant is requesting a modification from the requirement to provide a plan drafted at a scale of 10,20,30,40 or 50 feet to the inch. The applicant states that the plans are drawn at 1"=200' scale to be able to show both properties on one plan sheet. The applicant states that the plan drafted at 1"=200' clearly depicts both properties and all applicable details.

Section 402.B.10 – Location Map drafted at a scale of 1'=800'

The applicant is requesting a modification from the requirement to provide a Location Map at a scale of no larger than 1"=800'. The applicant is proposing a 1"-2000' scale for the Location Map and states the location map clearly depicts the two properties and required surrounding features including intersection tie-ins.

Section 403.D.19 & Section 403.D.22 – Location of all percolation test holes, deep probe holes/Easement for on-lot sewage replacement locations

The applicant is requesting a waiver to the requirement to provide replacement sewage testing for percolation test holes, deep probes and easements for on-lot sewage replacement areas on Lots 1 and 2. The applicant states that the resulting areas for Lots 1 and 2 will provide for adequate space for replacement facilities, and that no new flows or development is proposed at this time for either lot.

Section 407 – Wetlands Study

The applicant is requesting a deferral to the requirement of providing a wetland study. The applicant states that the purpose of the lot add-on plan is to convey cultivated agricultural cropland from one farm to another. No new development is proposed for either lot and any future development on either lot may require the submission of a wetland study.

Section 602.K(3) – Dedication of road right-of-way/street improvements

The applicant is requesting a deferral of the requirement to provide additional right-of-way and improve the adjacent roadway to be compliant with the Township standards. The applicant indicates that an area measured to be 30 feet from the centerline of West Girl Scout Road has been reserved for future use by Clay Township for roadway improvements.

Gary Landis made a motion, seconded by Tim Lausch to approve the plan contingent on compliance with the Hanover Engineering letter dated 8/21/24. \* The motion was unanimously approved.

2. Billy Ditzler – Lot Add-On Plan #24-06

Ted Cromleigh and Billy Ditzler reviewed the plan. The plan proposes a modification to the existing lot lines on previously approved subdivided lots. The applicant is requesting to add a 3.71 acre tract to his existing 6.47 acre lot.

Keith Martin made a motion, seconded by Gary Landis to approve the following modification and deferral as outlined in the Hanover Engineering letter dated 8/26/24. \* The motion was unanimously approved.

Section 402.A.1 – Plan drawn clearly and legibly at 10,20,30,40 or 50 feet to the inch

The applicant is requesting a modification of the requirement to provide a plan drafted at a scale of 10,20,30,40 or 50 feet to the inch. The applicant is proposing a plan drawn at a 1"=80' scale. The justification provided states that at a scale of 1"=8' allows both properties to be shown on a single plan sheet. The applicant feels that the plan drafted at 1"=80' clearly depicts both properties and all applicable details.

Section 402.C(4)(f) and Section 407 – Wetlands Study

The applicant is requesting a deferral of the requirement of providing a wetland study until such time that construction is proposed. The justification provided states that there is no new construction or excavation proposed as part of the plan.

Keith Martin made a motion, seconded by Gary Landis to recommend approval of the plan contingent on compliance with the Hanover Engineering letter dated 8/26/24. \* The motion was unanimously approved.

3. Clayland Commons – Time Extension Request

Bruce Leisey reviewed the request submitted by RGS Associates with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve the time extension request to act on the land development plan until December 9, 2024. \* The motion was unanimously approved.

4. 1765 Kleinfeltersville Road – Lot Add-On Plan #24-02

Bob Lynn reviewed the plan with the Board of Supervisors. The plan proposes a lot add-on of 0.697 acres subdivided from a 4.824 acre lot to a 9.305 acre lot with resultant lots being 10.002 acres owned by the applicant and 4.127 acres. This lot add-on will allow the applicant to place his property in Clean and Green.

Gary Landis made a motion, seconded by Keith Zimmerman to approve the following deferrals for the lot add-on plan as outlined in the Hanover Engineering letter dated 7/26/24 and written request submitted by Ron Hershey on 8/26/24. \* The motion was unanimously approved.

Section 602.K – Required Road Right-of-Way and Street Improvements

The applicant is requesting a deferral of the requirement to provide improvements related to the roadway right-of-way and cart way required for all new Subdivision/Land Development Plans

which abuts an existing Township and/or State Road. The justification provided stated that there is no demolition of structures or improvements proposed as part of this lot add-on plan. The applicant feels that due to the simple nature of the lot add-on plan with no site improvements that the request is proportionate with the plan.

Section 403.D(22) – Easement shall be provided for on-lot sewage replacement locations

The applicant is requesting a deferral of sewage replacement locations. The justification provided is the area of land to be transferred is all within the existing MedEd right-of-way and would not be used for sewage replacement, with the condition that testing be required prior to any proposed improvements to the lots.

Keith Martin made a motion, seconded by Gary Landis to recommend approval of the plan contingent on compliance with the Hanover Engineering letter dated 7/26/24. \* The motion was unanimously approved.

**Old Business**

1. 227 and 229 Woodcorner Road NOV

Jennifer Mejia provided an update on the status of the Notice of Violation. Jennifer informed the Board of Supervisors that Clair Zimmerman will provide a written detailed update on the status of the project for review at the September meeting.

No decisions were made at this time.

2. 408 Flaxen Lane – Approve Property Maintenance Code NOV

Wendy Hackman updated the Board of Supervisors on the property maintenance issues with the property.

Gary Landis made a motion, seconded by Keith Martin to approve a property maintenance NOV be sent to 408 Flaxen Lane. \* The motion was unanimously approved.

**New Business**

1. Review September Zoning Hearing Application

Jennifer Mejia reviewed the application with the Board of Supervisors. Jennifer stated that James Strong, representative for Clayland LLC, has requested the Board of Supervisors to submit a letter

to the Zoning Hearing Board regarding the request for a time extension on the previously obtained zoning relief.

Keith Martin made a motion, seconded by Gary Landis to authorize Jennifer Mejia to draft letter to Zoning Hearing Board stating that the Board of Supervisors has no objection to the time extension request. \* The motion was unanimously approved.

## 2. Rock Road Bridge Scour Repair – Final Payment Application #3

Bob Lynn reviewed the payment request with the Board of Supervisors. Bob stated that all work has been completed and the bridge is open for use.

Gary Landis made a motion, seconded by Keith Martin to approve the final payment application #3 to Flyway Excavating, Inc. in the amount of \$4,818.40 for the work completed on the Rock Road bridge scour repair. \* The motion was unanimously approved.

### **Bills to be Paid**

Keith Martin made a motion, seconded by Gary Landis to approve Liquid Fuel Fund bills totaling \$4,818.40. \* The motion was approved unanimously.

### **Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 8:08 AM to discuss potential litigation and personnel issues. \* The motion was approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 8:23 AM. \* The motion was approved unanimously.

No decisions were made at this time.

**Adjournment**

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 8:27 AM. \* The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Keith Martin, Vice Chairman

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Gary Landis, Secretary