

PUBLIC BOARD MEETING MINUTES

July 28, 2022

Chairman Harlacher called the meeting to order at 6:57 p.m.

ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman
Dave Markel – Vice Chairman
Ronald Ruman – Supervisor

Staff Present:

Kelly Kelch – Township Manager
Lori Trimmer – Parks & Recreation
Keith Whittaker – Finance
Clif Laughman – Fire Chief
John Snyder – Police Chief
Rainer Neidoroest – Engineer
Rachelle Sampere – Zoning & Codes
John Herrold – Solicitor
Rich Shaw – Public Works
Laura Mummert – Stenographer

CALL TO ORDER:

The Pledge of Allegiance was recited.

EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held prior to tonight's meeting to discuss personnel matters.

PUBLIC COMMENT:

Mr. Scott Wiglesworth, representative for the equitable owner of a parcel of land in 2500 block of Baker Road, asked the Board to consider re-zoning this area from R-1 to R-2. Mr. Nick Geller who is the selling agent for this area also spoke to the Board to consider this re-zoning change to help the younger generation looking to buy a new home. The Board announced that the Township is in the middle of reworking the Zoning Ordinance, and to come back in a few months to re-visit this request.

Mr. Tom Green, owner of Shiloh Garage located at 2183 Carlisle Road, asked the Board for some information regarding his issue with being taken off the towing list for the police department. Mr. Green wanted to know the requirements for being put back on the towing list as well as when he could be reinstated. Chief Snyder informed him that when the department reevaluates the vendor lists, he will be taken into consideration then. This occurs once a year. Mr. Green also inquired about who else is on the police departments towing list. Chief Snyder will give this information to Mr. Green.

Ms. Irene Reinos-Vega, 2495 Middle Street, expressed her concern to the Board about speeding traffic on her road and how it has become unsafe for her children to travel to the bus stop. This is due to traffic trying to cut through from Carlisle Road to Church Road in rush hour traffic. She asked if the speed limit could be reduced from 35 mph to 25 mph, or if any other measures could be taken. Chief Snyder will have staff set up the speed sign to see if this helps and monitor this area. The possibility of a traffic study could be done if other measures do not help.

APPROVAL OF MINUTES:

- A. The minutes of the June 23, 2022, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of June 23, 2022, as presented.

MOTION: D. Markel

SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY

OPEN FLOOR DISCUSSION:

A. SHENTEL GLO FIBER PRESENTATION: Mr. Curt Kosko, sales representative for Shentel Fiber presented in front of the Board seeking a possible Cable Franchise Agreement between Shentel and the Township. This would bring competition for internet and television services into the Township. Mr. Kosko announced that Shentel would be willing to pay for legal fees with Cohen Law Group to draft the franchise agreement. A motion was made by Chairman Harlacher and was second by Vice-Chairman Markel to authorize staff to be working with Shentel and Cohen Law Group on this agreement. Motion was passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

A. WEST MANCHESTER TOWNSHIP FIRE DEPARTMENT STRATEGIC PLAN:

Motion to approve the West Manchester Township Fire Department 2022-2026 Strategic Plan as presented by Chief Laughman at the June Board meeting. Copies of the plan were also given to the Board for review.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

B. TAX CREDIT FOR VOLUNTEER FIREFIGHTERS: Presentation by Chief Laughman regarding a tax credit for volunteer firefighters. Chief Laughman explained this would help bring in and retain volunteers. There are certain eligibility requirements for residents and non-residents to receive this credit. Supervisor Ruman asked if Chief Laughman would also be going to the school district with this proposition. Chief Laughman said if the Board agrees to it he will then move onto the school. The Board asked for some time to look into this and asked it to be brought up at a future Board meeting.

C. RFP PROCESS AUTHORIZATION: Motion to approve authorizing staff to sign the contract with Dawood to administer the RFP process and act as an agent for the Township. Supervisor Ruman asked the engineer how long it would take to get this completed. Mr. Neidoroest said he would get the answer and inform at August meeting.

MOTION: R. Ruman

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

D. T-869 FINAL SUBDIVISION PLAN FOR BLM ASSETS, INC.: Motion to approve, subdividing a 1.366-acre lot (Lot 13) from parcel 56U (Lot 4) to be used for a future commercial development located at 715 Town Center Drive in the Regional Commercial Zone. Mr. Tom Engler was present to answer any questions.

T-869 was approved at last night's Board meeting subject to the following comments being addressed:

Subdivision and Land Development Ordinance (SLDO):

1. §121-10.A.3 ...building construction plans, including identification of unusual fire hazard potential and private hydrant/sprinkling systems, shall be submitted to the appropriate fire company. *Address comments from the Township Fire Chief, if any. Please contact Fire Chief Laughman at the West Manchester Township office for clarification.*
2. §121-14.D.14 & §121-15.D A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge

the outcome of the requested waiver. *Update the waiver requests listed on the plan as appropriate based on the decision of the Board of Supervisors.*

3. §121-15.F.3 Notice from the PA Department of Environmental Protection that a sewer facilities plan revision or supplement has been reviewed. Also, if EDUs in sewer reserve will be transferred to the new property owner from the previous owner, please provide documentation stating such.

General Comments:

1. The signatures and seals of the individuals responsible for the plan shall be affixed to the plan prior to approval by the Board of Supervisors. (§121-14.B.3, §121-14.G.2 & §121-15.F)
2. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (§121-15.F.4)
3. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4. A new deed/lot description for each parcel involved in the subdivision plan must be recorded with the subdivision plan so the tax maps are updated.
- 5.. In reference to Note #14 in the Subdivision Notes, the YCPC suggests that a title search would be in the best interest of the applicant and should be done.

The following waivers were granted by the Board of Supervisors on July 28, 2022:

- W1. §121-9 Preliminary Plan. Request to waive the preliminary plan submission requirement. The applicant has submitted a combined preliminary/final subdivision plan.
- W2. §121-14.A.3 Sheet Size. The applicant proposes and has submitted plan sheets in excess of 24"x36". The plan sheets area 30"x42".

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

- E. T-871 LOT CONSOLIDATION/SUBDIVISION & PRELIMINARY/FINAL LAND DEVELOPMENT PLANS FOR FERBER CONSTRUCTION MANAGEMENT NORTH, LLC FOR PROPOSED WAWA FOOD MARKET: Motion to approve consolidating three (3) parcels and re-subdividing them into two (2) parcels, depicting the development of the proposed retail store with accessory gas pumps located at the 4500 block of West Market Street in the Highway Commercial Zone. Representatives from Wawa were available for questions. The Board discussed the waivers and the representatives from Wawa assured them all request can be met. Supervisor Ruman

discussed his concerns for the traffic flow in this area. They informed the Board a traffic study was performed, and everything would be done to accommodate the increase in traffic.

T-871 was approved at last night's Board meeting subject to the following comments being addressed:

Zoning Ordinance (ZO):

1. §150-234 Demolition of structures. Demolition of any structure must be completed within 3 months of the issuance of any permit. "Completion" consists of tearing the structure down to grade, filling any resulting cavity to grade and removing all resulting materials from the lot. A demolition permit will be required prior to demolishing the existing structures labeled for demolition on the plan.

Subdivision and Land Development Ordinance (SLDO):

1. §121-14.B.9 A statement on the plan identifying the district, lot size and/or density requirements of the prevailing zoning ordinance and any variances, special exceptions, conditional uses and nonconforming structures/uses. Please add the date of the Zoning Hearing Board actions on the Title sheet or any subsequent action due to the pending appeal.
2. §121-15.C & §121-14.C.2 The names of all immediately adjacent landowners, and the names and plan book record numbers of all previously recorded plans for adjacent projects. Provide all adjacent landowners, including across the streets.
 - Show parcel locations from the chart on the plan view.
3. §121-14.D.14 A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waivers. Please update the waiver block on the title sheet to include outcome and date of waiver request.
4. §121-15.D & §121-14.D.6 & §121-28 Easements. Extend the proposed sanitary easement such that SMH03 and its associated piping is encompassed. Additionally, provide easements for stormwater management and conveyance systems and shared access.
 - The sanitary easement has been revised and an easement plan has been provided. The drainage easements could be combined into a single drainage easement for the owner of lot 1 to access and maintain the drainage facilities on lot 2. Update the plan to clearly identify who has the right of access and responsibility for maintenance for the shared access, sanitary sewer, and drainage easements.
5. §121-14.E.2 & §121-15-F.3 Notice from the Pennsylvania Department of Environmental Resources that a sewer facilities plan revision or supplement has been approved. Include the PA DEP sewage planning approval (module or exemption) on the plan.

6. §121-14.G.5 A statement that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945, P.L. 1242, No. 428, as amended, before street or driveway access to a state highway is permitted. Please provide a copy of the approved PennDOT HOP to the Township and add a statement to the plan.
7. §121-15.F.9 & §121-16 Improvement guaranties in accordance with Article V. Please provide a cost estimate to be reviewed by Dawood Engineers for all public improvements associated with the plans.
8. §121-17 Financial Security. Financial security is required for public improvements not installed prior to recording the plans. Please provide financial security to West Manchester Township upon approval of the improvement guaranties cost estimate. Please send it to the attention of the Zoning Department.
9. §121-17.D Upon approval of the Board of Supervisors of a final plan, the applicant, in addition to all bonds or other security required, shall deliver to the Township a check payable to the Township in an amount equal to three and five-tenths percent (3.5%) of the bond or other security. The amount deposited by the applicant shall be used by the township to cover the costs of assuring the proper construction and completion of improvements, including inspection during installation, inspection upon completion, administrative costs and other related costs. If the amount is not sufficient to cover such costs, the applicant shall furnish additional amounts, from time to time, when notified to do so. Please provide engineering escrow in the amount of 3.5% of the approved public improvements estimate.
10. §121-19 Maintenance guaranty. An 18-month maintenance guaranty from date of acceptance by the Board of Supervisors is required to guarantee the structural integrity of any public improvements.
11. §121-21 As built plans. Upon completion of all requirement improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing location, dimension and elevation of all public improvement. In addition, the plan shall indicate that the resultant grading, drainage, structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall note all deviation from the previously approved drawings. Two (2) copies of the plan shall be submitted to the Township, which shall distribute one (1) copy to the Township Engineer and retain one (1) hard copy for the Township files. Please provide as-built plans prior to requesting a final inspection for the certificate of occupancy for the proposed Wawa.
12. §121-23.R.(3) & 121-23.M.] Sight distance. Indicate on plan the required and actual sight distances.

Stormwater Management Ordinance (SWMO:)

1. §113-12.L Storage facilities, designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration at such facilities is exempt from the minimum twenty-four-hour standard, i.e., may infiltrate in a shorter period of time, so long as none of the stormwater flowing into the infiltration facility is discharged directly into the surface waters of the Commonwealth. (Inordinately rapid infiltration rates may indicate the presence of large fractures or other conditions for which an additional soil buffer may be required.) Provide the dewatering time calculation for the rate control capacity (100-year storm event).
 - The graph provided is unclear. Please provide a table for the 100-year storm similar to that provided for the 2-year storm.
2. §113-17.G.(5) Inlets, culverts, and basin discharge systems shall be designed for the worst case condition. Inlet capacity shall be based on design standards provided by the latest edition of the Pennsylvania Department of Transportation's Publication 584. ... When a pipe or culvert is intended to convey the discharge from a stormwater management facility, its required capacity shall be computed by the Rational Method and compared to the peak outflow from the stormwater management facility for the fifty-year storm. The greater flow shall govern the design of the pipe or culvert. ... Provide inlet capacity analysis for the inlets and the 50-year design flow for the basin outlet. Revise the plan and report accordingly.
 - Inlet capacity calculations provided assume all the inlets are in sag locations. Revise the calculations for those inlets not in sag locations.
 - Provide the 50-year Rational Method design flow for the basin outlet.
3. §113-17.N.(6) & 113-18.E.(11) Sign, seal and notarize the plan.
4. §113-18.E.(2) A determination of site conditions in accordance with the BMP Manual. A detailed site evaluation shall be completed for projects in areas of carbonate geology or karst topography, as well as for other environmentally sensitive areas, whether natural or manmade, including floodplains, streams, lakes, ponds, hydric soils, wetlands, brownfields and wellhead protection zones. Provide a wetland/stream evaluation prepared by a qualified professional.
5. §113-18.E.(3) Stormwater runoff design computations, and documentation as specified in this chapter, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this chapter, including the recommendations and general requirements in § 113-12.
 - a) comment addressed
 - b) comment addressed
 - c) comment addressed
 - d) comment addressed

- e) The design assumes most of lot 2 will drain to the basin. However, the Tc used for the bypass flow is across lot 2 resulting in a smaller bypass flow rate. Revise the calculations for the shorter Tc.
- Provide justification for the revised bypass Tc flow path as it is not shown flowing downhill perpendicular to the contours.
- f) comment addressed
6. §113-18.E.(5) A soil erosion and sediment control plan, where applicable, as prepared for, reviewed, and approved by the York County Conservation District. Provide an approval letter from the York County Conservation District.
 7. §113-18.E.(7)] Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales. Show length of TD01 and TD02 pipe on the profile views. Show basin underdrains and cleanouts on plan view and include profiles of the underdrain pipes. Indicate top of berm and emergency spillway crest elevations for the basin on the plan (detail or plan view).
 - Proposed grades shown on the profiles and elevations listed in the detail do not appear to match the grading shown on the plan view.
 8. §113-18.E.(24) A note on the plan indicating the location, and responsibility for maintenance of, SWM facilities and/or easements that would be located on adjoining properties as a result of proposed regulated activities, and the location of such facilities and/or easements. Since the basin is for both lots, update the O&M plan to indicate which lot owner will be responsible for maintenance and provide appropriate easements across both lots for the necessary maintenance.
 - It should be the owner of the parcel that signs the plan and is responsible for O&M. If Wawa is to be responsible, and not the owner, provide a copy of the agreement or other document that proves Wawa is knowledgeable of the plan and accepts responsibility for the SWM O&M. The changes made as indicated in the comments transmittal cover letter conflicts with the operation and maintenance signature block on C-606.
 9. §113-18.E.(11) A notarized signature of the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation and maintenance of the facilities. Provide the signature block on the SWM site plan.
 10. §113-25 As-built plans; completion certificate; final inspection. After construction, provide as-built plans and certification of the SWM BMPs included in the approved SWM site plan in accordance with the ordinance.
 11. §113-27] Operation and maintenance agreements. Prepare and record an O&M Agreement.

General Comments:

1. The signatures and seals of the individuals responsible for the plan shall be affixed to the plan prior to approval by the Board of Supervisors. (§121-15.F)
2. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (§121-15.F.4)
3. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
5. Provide an operation and maintenance agreement for the stormwater management facilities.
6. A new deed/lot description for each parcel involved in the subdivision plan must be recorded with the subdivision plan so the tax maps are updated.
7. Please provide a Knox Box on the building for Emergency Personnel access.
8. The response to comments indicates the land development plans depict the requested sidewalk location; however, it appears no sidewalk was shown. The site is a major pedestrian generator and must accommodate pedestrian access. At a minimum, provide ADA compliant curb ramps at the northwestern corner of SR 0030/ S. Salem Church Road and a sidewalk connection to the site. Additionally, the TIA only discusses the existing conditions in the study and does not identify proposed facilities to be constructed with the development of the project site. Revise the text and TIA recommendations accordingly.
9. The TIA indicates a projected LOS E on the full access driveway at S. Salem Church Road. This represents less than desirable delays which could increase risk taking behaviors and reduce safety. Provide further discussion of this condition in the TIA and note whether any one turning movement is responsible for the majority of the delay. Evaluate alternatives to achieve LOS D such as left turn prohibitions or time-of-day restrictions.
10. The driveway to the shed sales must accommodate the trucks with trailers and occasional tractor trailer. A shared access agreement must also be provided.
11. The Right-In driveway recommendations in the TIA don't match the site plans. Revise the inconsistency.
12. Revise page i of the executive summary to note a 150-foot left turn lane is warranted and remove references to a Right-in/Right-out driveway.
13. As previously requested, the initial queue field worksheets are required to document the results of the unserved queue observations during the first three cycles at the beginning

of the peak periods and provide an additional frame of reference for the Township. Note that some turning movements such as the WBL (AM Peak) do show $v/c > 1.0$.

14. The required taper lengths for the proposed turn lanes must be determined per PennDOT Publication 111 and based upon the specific design provided in the roadway construction plans.
15. It is recommended the Township defer to PennDOT for the design of the Right-In only access along Lincoln Highway (SR 0030).
16. The plan may not be recorded until the Zoning Hearing Board appeal has been settled and all outstanding comments have been satisfactorily addressed.

The following waivers were granted by the Board of Supervisors:

- W1. §42-9.A.1 to permit access drive entrances onto an arterial road to be greater than 300' from intersecting right-of-way lines.
- W2. §42-9.G to permit an access drive with a curb cut exceeding 35 feet in width as measured at the property line.
- W3. §117-13 to provide an alternate height and width for proposed curb.
- W4. §113-12.L to permit a storage facility to drain more than 72 hours from the end of the design storm.
- W5. §113-14.A.1 to not decrease the post development runoff total runoff volume for all storms equal to or less than the two-year twenty-four-hour duration precipitation.
- W6. §113-17.E.6 to not require low-flow channels to dewater the bottom of a basin.
- W7. §113-17.K to permit a minimum pipe size diameter of less than 15 inches.
- W8. §121-14.C.3 to not provide existing features within 200 feet of the subject property.
- W9. §121-23.R.1 to not require the minimum cartway width of access drives to be 24 feet.
- W10. §121-23.R.5 to permit vehicular parking along access drives.
- W11. §121-25 to permit the applicant to not install sidewalk along the property frontage. *Township Engineer recommends a deferment rather than a waiver. Notes shall be added to the plan acknowledging a deferment. Applicant will install sidewalks along Wawa's road frontages and defer sidewalks on the adjacent vacant parcel.*
- W.12 §121-33.A.1 to permit the removal of healthy trees with a caliper of six inches or more that are not within the proposed cartway or sidewalk portion of the street right-of-way or within 15 feet of the foundation area of a proposed building.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- F. SHILOH SEWER AREA 2022 TO 2023 METERING & GAUGING PROJECT: Motion to approve authorizing Dawood Engineers to bid the Shiloh Sewer Area 2022 to 2023 Metering and Gauging Project. This project will monitor sewer levels, sewer flow, and provide more appropriate rain data for the ongoing infiltration and inflow reduction program. Dawood estimates the project will cost between \$125,000 and \$160,000. Supervisor Ruman asked the engineer which neighborhoods this affects? He answered it will be Hayward Rd and the “Gem” streets as well as Thornbridge Road.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- G. WEST MANCHESTER TOWNSHIP AGREEMENT: Motion to approve an agreement between West Manchester Township and the West Manchester Township Firefighters Relief Association. The purpose of this is due to the grant received for the purchase of a new Self-Contained Breathing Apparatus. This agreement will cover the Relief Association getting their percentage back if the apparatus is sold.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- H. ROAD CLOSURE: Motion to ratify the road closure that occurred on July 15th, and July 18th and 19th for road paving of Taxville Road from Derry Road to Baker Road. Also from Baker Road to the Township line.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- I. KEYSTONE MUNICIPAL SOLUTIONS RFP: Motion to table the strategic plan proposal from Keystone Municipal Solutions. Other companies would like to be considered before approving.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- J. PA STATE FIREWORKS DISCUSSION: Discussion by the Board about recommending police and fire departments look into better enforcing the new law and

how the Township can go about doing so. Solicitor Herrold informed the Board that PSATS will most likely be coming out with a sample ordinance in the next month or so that the Township could use for drafting one. The Board asked for an update on this matter at the September Board meeting.

ADMINISTRATIVE REPORTS:

- A. **RECREATION DIRECTOR:** Director Trimmer's report was reviewed. Ms. Trimmer updated the Board on the success of the Olde Tyme Carnival and summer playground. She thanked police, fire, public works, and summer staff for their help. No further questions.
- B. **FINANCE DIRECTOR:** Director Whittaker's report was reviewed. Director Whittaker announced that the 2021 audit will be completed soon. He also reminded residents about the two eligible programs available to help with sewer payments. No further questions.
- C. **FIRE CHIEF:** Chief Laughman's report was reviewed. Chief Laughman informed the Board that the relief finished their audit, and he will provide a copy to the Board when its available. No further questions.
- D. **POLICE CHIEF:** Chief Snyder's report was reviewed. Chief Snyder updated the Board that the department has been busy with Fair Week and with preparing for National Night Out. No further questions.
- E. **TOWNSHIP MANAGER:** Manager Kelch's report was reviewed. Manager Kelch thanked the Board and staff for their patience while he is recovering. No further questions.
- F. **ENGINEER:** Engineer Neideroest's report was reviewed. Mr. Neideroest updated the Board that things were moving along for the Haviland Road sewer project. He also gave updates on the Rainbow Circle stormwater infrastructure. No further questions.
- G. **ZONING OFFICER:** Officer Sampere's report was reviewed. No further questions.
- H. **SOLICITOR:** Solicitor Herrold's report was reviewed. No further questions.
- I. **PUBLIC WORKS DIRECTOR:** Mr. Shaw's report was reviewed. Mr. Shaw updated the Board on the most recent paving project and stormwater modification project. No further questions.

STORMWATER MANAGEMENT/MS4

Zoning Officer Sampere noted that the Township's MS4 Storm Water Inspector is available Monday thru Friday 8 a.m. to 4:30 p.m. to answer any questions related to storm water management.

BILLS: Motion to pay bills as presented:

<u>FUNDS</u>	<u>CHECK NO.</u>	<u>AMOUNT</u>
General Fund	32402-32563	\$ 877,592.62
Liquid Fuels	1174-1190	\$ 17,093.93
Sewer Fund	5322-5355	\$ 1,495,814.87
Payroll#14 Pay Ending 7/02/22	Paytime Vouchers	\$ 122,117.07
Payroll#15 Pay Ending 7/16/22	Paytime Vouchers	\$ 123,146.50

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

ADJOURNMENT:

Motion to adjourn the regular meeting at 8:23 p.m.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY