

The Board's Minutes of the East Donegal Township Board of Supervisors  
Held on May 5, 2016

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, May 5, 2016, at 8:00 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547. The start of the meeting was delayed due to the length of the preceding Township Planning Commission meeting.

The meeting was called to order by Supervisor Dennis J. Drager.

Roll call of Supervisors: Present were Dennis J. Drager, Chairman; Allen D. Esbenshade, Vice Chairman; John Murphy, Member and Jeffrey Butler, Township Manager.

Public attendance is attached.

Supervisor Esbenshade led with a Prayer and Pledge to the Flag.

Phil Rudy, White Rudy and Company presented the 2015 Audit Report to the Board. Mr. Rudy indicated that the annual audit was completed and forwarded to the Pennsylvania Department of Economic and Community Development in accordance with state requirements. He stated that the Township staff should be commended for a job well done on the financial matters of the Township. He indicated that for the third year in a row the audit resulted in only a few minor adjustments to line items where in past years that number was much greater. He indicated to the Board that there has been tremendous progress in the budgeting, handling and reporting of Township finances.

Mr. Rudy stated that the audit included a look at the internal controls of the Township financial operations. He indicated that the operation is running smoothly and the Board of Supervisors is getting very good financial information on a monthly basis. The annual budget verses actual expenses has become much more reflective of what is happening financially within the operation. The tremendous progress made in budgeting and reporting was very noticeable during the audit. He stated that the Township is living within its means and doing at good job at it. The information provided to the Board of Supervisors on a monthly basis is spot on regarding the financial condition of the Township.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the audit report for 2015. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

Michael LaSala, LandStudies, Inc. and Scott Hain, David Miller/Associates, Inc., were present to discuss the proposal for the preparation of a Stormwater Management Program document as required by the Township's MS4 Permit and in anticipation of a stormwater management program audit by the U.S. Environmental Protection Agency. Mr. LaSala and Mr. Hain explained the plan process of data gathering and field investigation needed for the preparation of the document. They discussed the project's primary objective of addressing the requirements placed on MS4 Permit holders to develop and implement a rational decision making process for dealing

with stormwater and water quality, to develop measureable performance goals and assessment criteria, and set a schedule for program implementation. It was stated that the document developed, should this proposal be accepted, would serve as a significant component of the Township's re-application for permit in 2017.

In response to questions from the Board, Mr. LaSala and Mr. Hain indicated that it would take approximately 2-3 months to prepare the document. Although some components of the document would be "boilerplate", the data collection, implementation strategy and schedule would be tailored to the Township. Mr. Drager stated that the Board will consider action on the proposal presented at the June meeting.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to recess the public meeting and convene a public hearing on the conditional use application of Maytown School House L.P. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

Matthew Creme, Township Solicitor, explained that the hearing was to consider the conditional use application filed by Maytown School House L.P. for a Residential Conversion use that would allow for the development of 24 residential units in the former Maytown Elementary School. He provided the Board and those in attendance with the general format for the public hearing on the application. He also indicated that a stenographic record of the hearing was being made.

In response to Mr. Creme's inquiry regarding those seeking party status to the hearing, four residents indicated an interest. Billy Standridge, 101 Endslo Road, adjacent to the subject property, was granted party status. Sharon Pacana, 27 Hemlock Drive, adjacent to the subject property, was granted party status. Milinda Good, 7 Hemlock Drive, adjacent to the subject property, was granted party status. Finally, Michael Cassidy, 104 East High Street in Maytown, was granted party status by the Board, although the applicant's representative, Keith Good, objected.

In response to Mr. Creme's questions, Craig Underwood, Township Zoning Officer, indicated that he received the conditional use application and provided the application to the Township Planning Commission for review and that the hearing was advertised and property posted with a notice, in accordance with the requirements of the state statutes.

Keith Good, Calabrese Architects, representing the applicant presented an overview of the existing site conditions and the proposed improvements that would be made to the site should the application be approved. Mr. Good entered a site plan with proposed improvements as Exhibit A-1 into the record.

Mr. Good presented a floor plan of the proposed 24 apartment units within the existing building. The plan proposes a mix of 1, 2, 3 and 4 bedroom units. The site plan was entered into the record as Exhibit A-2.

Mr. Good addressed the Township's zoning requirements and outlined the plan's compliance with the requirements and the suitability of the building and property for the proposed use.

Mr. Joe Eberly, Transportation Resource Group, Inc., presented information regarding the estimated number of peak hour trips generated by the previous school use and the number projected to be generated by the proposed 24 apartment units. In addition, his analysis compared the total trips estimated to be generated previously and the total number projected for the proposed apartment units. His analysis was entered into the record as Exhibit A-3. Mr. Eberly explained his use of the Institute of Traffic Engineers Trip Generation Manual for the traffic analysis.

Mr. Good provided an overview of the off-street parking provided on the site. The proposed 24 apartment units are required, by Township zoning ordinance, to provide 48 parking spaces. The site plan indicates that 60 parking spaces are located on the site and an additional 16 parking spaces are on site, but directly access Jacob Street, in conflict with the township zoning regulations. He stated that these spaces were existing and used when the school was open. In response to a question from the Board, Mr. Good indicated that the applicant may permit others to use parking spaces on the property that are accessed from Jacob Street.

Mr. Good indicated that the applicant reached out to public utility and public service providers. He entered letters received from public utilities, regional police department and emergency services providers indicating that the proposed project would not negatively impact these services. Mr. Good indicated that the Maytown East Donegal Township Fire Department was contacted, but a response was not received from them. The response letters were entered into the record of the hearing as Exhibit A-4.

Curt Tomlinson, managing partner of TomTom Properties, representing the applicant, explained the property management background of the applicant and how the subject property would be managed. He explained the tenant contract requirements and tenant responsibilities.

In response to a question, Mr. Good stated that the construction to convert the building to apartment units would start within 6 months from the granting of any final approvals needed.

Mr. Good addressed the specific conditional use ordinance requirements of Section 938. He stated that no proposed unit would be less than 800 square feet in size. The large lot provides lot area in excess of the minimum lot area required by Township ordinance. No changes are proposed to the building that existed prior to the adoption of the zoning ordinance, so there is no reduction in the yard requirements. The proposed use is located on a public street and has public sewer and public water service available. No part of the existing building is proposed to be removed to provide for yards, parking or other facilities.

Mr. Good presented excerpts for the Township's Comprehensive Plan indicating the compatibility of the project with the general character of the area as it exists, or planned for the future. The excerpts from the Comprehensive Plan were entered into the record as Exhibit A-5.

In an effort to allow the Board of Supervisors to conduct its other business, Mr. Crème suggested that the hearing recess until the June meeting of the Board. A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to recess the public hearing and reconvene the public hearing on the conditional use application of Maytown School House L.P. on Thursday, June 2, 2016 at 7:30 pm. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

The regular meeting of the Board of Supervisors resumed at 9:55 pm.

The Board approved the minutes for March 3, 2016, by a motion made by Mr. Esbenshade and seconded by Mr. Murphy. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, Mr. Drager; yes. Motion carried.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the Treasurer's Reports for the Township and approve the payment of Township bills. Discussion none. Vote: Mr. Murphy, yes, abstaining from the vote on check #49279 payable to Union Community Bank; Mr. Esbenshade, yes, abstaining from the vote on check #49239 payable to Mr. Esbenshade; and Mr. Drager, yes.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor and dated March 15, 2016.

#### Old Business.

None.

#### New Business.

##### Stormwater Management Plan for Zac R. and Heidi E. Grove – Maytown Road

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the Stormwater Management Plan for Zac R. and Heidi E. Grove, prepared by D.C. Gohn Associates, Inc., dated March 8, 2016, last revised April 4, 2016, subject to the following conditions:

Compliance with the review comments outline by David Miller/Associates, Inc. in a review letter dated April 7, 2016.

Posting of financial security in accordance with Chapter 28, Part 5, Section 510.

The Applicant's written acceptance of any conditions within thirty (30) days from receipt of written notice of plan approval by the Township Board of Supervisors, on a form provided by the Township.

If the conditions are not accepted, the approval by the Board of Supervisors will be revoked, and the application will be denied for the reasons listed as conditions of approval of the Plan.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Appointment of Mitch Shellenberger to the East Donegal Township Planning Commission. Term expires December 31, 2017.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the appointment of Mitch Shellenberger to the East Donegal Township Planning Commission to fill the unexpired term of Cynthia LaBuda that expires December 31, 2017.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Appointment of Christopher W. Dellinger to the Donegal-Elizabethtown Area Appeals Board.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the appointment of Christopher W. Dellinger to the Donegal- Elizabethtown Area Appeals Board.

Discussion: It was indicated that the Donegal-Elizabethtown Appeals Board considers requests associated with the Uniform Construction Code. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertise for the Receipt of Bids for Roadway Improvements to Long Lane and Donegal Creek Road.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to have the appropriate bid documents prepared and to advertise for the receipt of bids for the completion of roadway improvements to Long Lane and Donegal Creek Road.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Township 2016 Scholarship Program.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to award the 2016 East Donegal Township Board of Supervisors Scholarship to Richard Farmer.

Discussion: Mr. Drager indicated that Mr. Farmer will be asked to attend the June meeting of the Board of Supervisors. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Prepare Bid Documents and Advertisement for Construction of Public Works Salt Shed

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to have the appropriate bid documents prepared and to advertise for the receipt of bids for construction of a public works salt shed.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertise for the sale of 1996 Ford Dump Truck

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize the Township Manager to advertise for the receipt of bids for the sale of the public works 1996 Ford Dump Truck.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Distribution of CommunityAid Clothing Care Cards

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the donation of the CommunityAid Clothing Care Cards received from the placement of the

collection box at the Municipal Building to the East Donegal/Conoy Area Food Bank for distribution as they deem appropriate.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbensshade, yes; and Mr. Drager, yes.

#### Trinity Lutheran Church Spark Team 5K Run – Riverfront Park, Sunday, August 21, 2016.

A motion was made by Mr. Murphy, and seconded by Mr. Esbensshade, to approve the request from the Trinity Lutheran Church Spark Team for use of Riverfront Park to host a 5K run/bike on Sunday, August 21, 2016, subject to submittal of the appropriate Certificate of Insurance citing East Donegal Township as an additional insured.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbensshade, yes; and Mr. Drager, yes.

#### Eagle Scout Project Proposal – Tyler Beazley

Tyler Beazley was present to discuss his proposal to complete the restoration of the Maytown School Bell in Fuhrman Park as his Eagle Scout project. He proposes to prepare the surface of the tower and bell, provide primer and finish with paint. In addition, he will landscape the ground around the base of the tower. He explained that all work done on ladders will be completed by adults. The entire project should take a day or two.

A motion was made by Mr. Murphy, and seconded by Mr. Esbensshade, to approve the project to improve the bell tower and to provide mulch as needed for the ground around the base of the tower. Vote: Mr. Murphy, yes; Mr. Esbensshade, yes; and Mr. Drager, yes.

#### Chiques Rock Outfitters – Request To Provide Canoe and Bicycle Rentals at Riverfront Park

Jim Cox, Chiques Rock Outfitters, was present to request permission to provide canoe, kayak and bike rentals in Riverfront Park on a temporary, weekend only basis. The service would start around Mother's day and extend to the end of October, weather dependent. The service would not use any of the buildings on the site and would not result in anything being stored overnight on the site. Mr. Cox indicated he will provide whatever insurance certificate needed by the Township.

A motion was made by Mr. Murphy, and seconded by Mr. Esbensshade, to allow Chiques Rock Outfitters to use the park on weekends for rental of kayaks, canoes and bikes on a trial basis. Vote: Mr. Murphy, yes; Mr. Esbensshade, yes; and Mr. Drager, yes.

#### Maytown East Donegal Township Fire Department – Request For Funds.

Mr. Keith Vogt, Chairman of the Fire Department Board of Directors, and Deanne M Gardner, Department Manager, were present to discuss the Department's request for the balance of the Township's 2016 donation to the Department. Mr. Vogt explained that the request is not for funds in addition to the planned donation, but that the timing of the donation be changed. By receiving the complete donation now, he stated that the department could better address expenses that will occur throughout the rest of the year.

There was general discussion regarding the request and the expenses of the Department. The Board agrees to place this request on the agenda for the next meeting for consideration.

#### April 2016 Zoning/Building Report

Copies of the report were provided to the Board. For the month of April 2016, Permits # 016043 through Permit # 016054 were issued for a total value of \$335,843.00. Total permit fees collected totaled \$7,102.00.

#### May 21st Municipal Building Open House – 10 AM to 2 PM

The Board and public were reminded that the open house for the renovated Municipal Building is scheduled for Saturday, May 21, 2016 from 10:00 am to 2:00 pm. The Susquehanna Regional Police Department will also be open to the public during that time.

#### Fire Department Mount Joy – March 2016 Monthly Incident Summary Report

For March 2016, Fire Department Mount Joy responded to 2 first due calls in East Donegal Township and 2 mutual aid call. The Board was also provided copies of the proposed building improvements proposed by the Department.

#### Mount Joy Township Official Map Update

Mr. Butler informed the Board that the Township received copies of the proposed revisions to the Mount Joy Township Official Map.

#### FEMA Floodplain Ordinance Notification

Mr. Butler informed the Board that the Township has received acknowledgement from FEMA that the recent update to the Township's floodplain regulations brought the Township into compliance with the National Flood Insurance Program.

#### Proposal for restoration/renovation at Guy's Distillery (1467 Long lane, East Donegal Township) by Evan M Brodfuehrer

Mr. Butler provided the Board with copies of a proposal from Evan Brodfuehrer for the renovation of the house located in Chiques Creek Day Use area. Mr. Brodfuehrer proposes to renovate the house in exchange for rights to live in the house. Board members expressed concern regarding the length of time he could live in the building, lack of detail in the renovation proposal, and questions about inability to finish the renovations. Mr. Butler suggested that the concept be discussed with the Park Commission and a recommendation then forward to the Supervisors.

#### Northwest Emergency Medical Services Report

For April 2016, Northwest EMS responded to 44 calls in East Donegal Township. Year-to-date, Northwest EMS has responded to 158 calls in East Donegal Township.

#### Maytown East Donegal Township Fire Department

No report given at this time.

#### Rheems Fire Department

No report was given at this time.

Liaison Assignment Reports –

Administration/Personnel - Supervisor Esbenshade – None.

Finance - Supervisor Murphy – None.

Parks and Recreation - Supervisor Esbenshade – None.

Planning and Development - Supervisor Drager – None.

Public Safety - Supervisor Murphy – None.

Public Works - Supervisor Drager – None.

Adjournment

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to adjourn at 10:45 PM.

Respectfully Submitted,  
Jeffrey L. Butler, Township Secretary

**The next meeting of the Board of Supervisors will be held on Thursday, June 2, 2016 at 7:30 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.**