

The Board's Minutes of the East Donegal Township Board of Supervisors  
Held on June 1, 2017

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, June 1, 2017, at 7:30 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.

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

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

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

Ms. Linda Good, 2350 Donegal Springs Road, thanked the Board for the installation of the commemorative plaque on the bell tower in Fuhrman Park. She indicated that stepping stones and additional landscaping will be added around the base of the tower. She also thanked the Board for its support of the Memorial Day parade.

Keith Vogt, a Jasmine Avenue resident, also thanked the Board for its support of the Memorial Day parade.

Matthew Creme, Township Solicitor, explained that the Board was conducting a public hearing to consider the rezoning petition filed by Donsco, Inc. He indicated that the hearing was properly advertised and the subject property properly posted. He directed that documents providing proof of publication and posting be added to Township's file for the request.

Ms. Caroline Hoffer, attorney representing the applicant, provided the Board of Supervisors with an overview of the request. She introduced James Boyer, PE., from David Miller/Associates, Inc., a consulting firm representing the applicant.

Mr. Boyer explained that the petition filed by the applicant requests the rezoning of approximately 52 acres from the current Agricultural District to Industrial District and an additional approximately 7 acres from the current Agricultural District to R-3 Residential District.

Mr. Boyer gave an overview of the current zoning of the surrounding land area and the current uses adjacent to the site. He stated that the area requested to be rezoned to R-3 Residential serves as an extension to Barbara Street and is consistent with the residential uses in the Barbara Street area. The area proposed to be rezoned to Industrial District would serve as an extension of the existing industrial uses and zoning in the Jacob Street area of Mount Joy Borough. Mr. Boyer indicated that the land owned by Donsco, but located in Mount Joy Borough was rezoned to Industrial, at the applicant's request, in 2014.

Mr. Boyer stated that the request is consistent with the Donegal Region Comprehensive Plan as it addresses the Plan's finding of a shortage of industrial land. In addition, he stated that the proposed rezoning would be consistent with the adjacent zoning and current land uses.

Ms. Hoffer indicated that should the rezoning be granted, any development of the property would require the filing of a subdivision and/or land development plan and compliance with the Township's zoning ordinance, subdivision/land development ordinance and stormwater management ordinance.

Mr. Mark Hackman, RGS Associates, was present representing Patricia Iacobucci, a neighboring property owner. He stated that the neighboring property owner is opposed to the request for rezoning.

Mr. Hackman stated that Mount Joy Borough has expressed concerns regarding the request and the potential traffic that could impact the Borough. With the limited clearance on Longenecker Road and the closure of the Jacob Street bridge, Barbara Street serves as the only access to the property.

Mr. Hackman cited the review prepared by the Lancaster County Planning Commission that indicates there are 322 acres of vacant industrial land in the Township. He also expressed concerns regarding the impact on adjacent properties and the ability to develop the proposed R-3 Residential portion of the property due to its configuration.

Mr. Jeff Swarr, 322 Longenecker Road, expressed a concern regarding truck traffic and the inability to use Longenecker Road due to the low underpass.

Mr. Nelson Ginder, property owner of 508 Pinkerton Road, expressed a concern regarding the loss of agricultural land to industrial uses.

Mr. Nelson Ginder, property owner of 508 Pinkerton Road, expressed a concern about stormwater runoff from an industrial development and the impacts it may have on the adjacent waterway. She also expressed a concern about the ability of Longenecker Road to handle truck traffic.

Mr. Robert Holmes, 450 Pinkerton Road, expressed his concern that industrial development on adjacent property will impact preservation of the area and the value of his property.

In response, Ms. Hoffer indicated that Mount Joy Borough was supportive of the rezoning within the Borough due to the additional tax revenue that could be gained from industrial lands. She added that the review prepared by the Lancaster County Planning Commission indicated that only 4.5% of the available industrial land in the Township is located in the Mount Joy Urban Growth Area, the balance is located along Route 441 west of Marietta Borough. She

stated that the uses and impacts of any proposed development are land development issues and would be addressed as plans are filed for approvals.

Mr. Creme provided the Board with a timeframe for action on the request. He indicated that the Board can act on the request at the July or August meeting without the need to re-advertise.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to close the public hearing on the petition to rezone. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

Mr. Scott Hain, P.E., David Miller/Associates, Inc. was present to discuss the progress made in the preparation of the Township's Pollution Reduction Plan. The Plan is a requirement of the Township's application for renewal of a NPDES Permit. As an existing Permit holder, the 2018 Permit Application must be filed in September 2017.

Mr. Hain presented a map of the planning areas of the Township that are to be part of the Township's Pollution Reduction Plan. In these areas, the Plan must provide for a 10% reduction on the current calculated sediment load.

Mr. Hain presented a chart of the two methods used for calculation of sediment loading. The pollution Reduction Plan can utilize either method. However, whichever method used to calculate existing loading must be used to calculate the projected reductions achieved with implementation of the Plan. Therefore, potential projects were evaluated using both methods in an attempt to identify the projects that are most cost effective in achieving the desired reduction goals.

Mr. Hain presented a map of the potential projects to be included in the Plan. Streambank restoration projects provide the greatest benefit as are most cost effective for implementation. The map identified a 1000 foot long section of Evans Run as the primary candidate as a project. There was some discussion regarding projects considered streambank restoration and projects considered floodplain restoration. Floodplain restoration projects are greater in scope and cost but may only result in a small amount of additional calculated sediment reduction.

Mr. Hain indicated that the final draft of the pollution Reduction Plan will be ready to be presented to the Board in July to start the public review and comment period.

The Board approved the minutes for May 4, 2017, 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 #49864 payable to Union Community Bank; Mr. Esbenshade, yes, abstaining from the vote on check #49859 payable to himself; and Mr. Drager, yes, abstaining from the vote on check #49861 payable to himself.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor and dated May 24, 2017.

#### Old Business.

Request for Release of Financial Securities – Stormwater Management Plan for Proposed Swine Finishing Barn for Michael and Julie Shearer.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the release of the Financial Securities posted for the Stormwater Management Plan for Stormwater Management Plan for Proposed Swine Finishing Barn for Michael and Julie Shearer in the amount of \$35,193.02, as recommended in the letter from David Miller/Associates, Inc., dated May 31, 2017.

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

Code of Ordinance Amendment – Property Maintenance

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize the Township Manager to advertise the proposed amendment to Chapter 5, Code Enforcement, of the Township Code of Ordinances by the addition of a new Part 2, Maintenance of Properties Containing Multi-Family Dwellings, for consideration of enactment at the July 6, 2017 meeting of the Board of Supervisors.

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

Conditional Use Application of Robert E. and Corine C. Kline

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to execute the written decision approving the Applicant's request for conditional use approval under Section 928 of the Township Zoning Ordinance for the expansion of an existing mobilehome park by the addition of an approximate 0.21 acre parcel of land to permit the proposed use of one additional mobilehome dwelling unit.

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

Conditional Use Application of Maytown School House – Compliance With Conditions of Approval

Mr. Keith Good, CGA Architects, Inc., was presented the Board with Plans and supporting information to demonstrate compliance with conditions placed on the July 1, 2016 approval of the conditional use application filed by Maytown School House LP.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to accept the revised site plan exhibit, and supporting information, dated May 23, 2017, and prepared

by Calabrese Good Architects, Inc., as satisfying the conditions imposed on the conditional use approval granted on July 1, 2016 to Maytown School House LP.

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

Mr. Good presented the Board with photographs of vandalism that has taken place at the Maytown Elementary School. Mr. Good asked the Board for permission to have a partial building permit issued to allow for work to begin so that the construction activity deters further vandalism.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize the Township Zoning Officer/Building Code Official to issue a partial permit to allow for demolition works and interior framing only.

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

#### Peddling and Soliciting Ordinance

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to prepare an amendment to the Township Code of Ordinances to establish regulations to address door-to-door peddling and solicitation within the Township.

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

#### Township 2017 Scholarship Program.

Supervisor Drager introduced James A. Landis as the 2017 Scholarship winner who was in attendance. Mr. Landis will be attending the University of Pittsburgh and is majoring in bio-engineering.

#### Township Summer Playground Program Employees

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the hiring of the following applicants for the part-time summer playground positions for 2017, as recommended by the Township Park Commission:

Bailey Smith  
Zachary Runkl  
Tory Spenla  
Mandi Lehman  
Amaya Woods  
Elizabeth Barrick  
Drew Bechtold

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

#### Intergovernmental Insurance Cooperative Surplus Funds.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve earmarking surplus funds received from the Intergovernmental Insurance Cooperative totaling \$51,637.00 to fund post-retirement benefits in lieu of applying such funds to monthly Aggregate Claim Fund Deposit payment.

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

#### Annual Craig Heisey Memorial 5k Race - Saturday, November 4, 2017

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the request of the Rainbow's End Youth Services to hold the annual Craig Heisey Memorial 5k race on Saturday, November 4, 2017, subject to submittal of the appropriate Certificate of Insurance citing East Donegal Township as an additional insured party.

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

#### Contribution to American Legion Post #809 – Memorial Day Parade

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve a contribution of \$3,928.50 to the American Legion Post 809 for expenses associated with the 2017 Memorial Day Parade held Monday, May 29, 2017.

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

#### Long Lane Truck Traffic Restrictions

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to have the required engineering study completed to determine if restrictions on truck size are warranted based on bridge and bridge approach characteristics.

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

#### Maplewood Lane Postal Boxes – Letter to Postmaster

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize the Township Manager to write the letter requested by the Marietta Postmaster allowing for the placement of up to 4 cluster postal boxes along the frontage of property owned by the Township on Maplewood Lane.

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

#### May 2017 Zoning/Building Report

Copies of the May 2017 report were provided to the Board. For the month, 18 Zoning Permits and 4 UCC Permits were issued. The total value of construction authorized equaled \$538,471.00. Permit fees collected totaled \$4,627.00.

#### May 2017 Roadmaster Report

The Board received copies of the May 2017 Roadmaster Report prepared by Jake Bair, Public Works Director.

**Municipality Report - Milanof-Schock Library**

The Board received copies of the April 2017 Library Report compiled by Barbara Basile, Executive Director.

**Northwest Emergency Medical Services Report**

For May 2017, Northwest EMS responded to 50 calls in East Donegal Township. Year-to-date they have responded to 227 calls in East Donegal Township.

**Fire Department Mount Joy - Incident Summary Report**

For April 2017, Fire Department Mount Joy responded to 5 first due calls in East Donegal Township and no mutual aid calls.

**Maytown East Donegal Township Fire Department Report**

No report provided.

**East Donegal Township Sewer Authority Meeting Minutes**

The Board received copies of the minutes of the April 18, 2017 meeting of the East Donegal Township Sewer Authority.

**East Donegal Township Municipal Water Authority Meeting Minutes**

The Board received copies of the minutes of the April 18, 2017 meeting of the East Donegal Township Municipal Water Authority.

**East Donegal Township Park Commission Meeting**

The Board received copies of the minutes of the May 25, 2017 meeting of the Township Park Commission. The Board was reminded that the first program of the 2017 Music In The Park series is to be held Sunday June 4, 2017 at 7:00 PM.

**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 9:20 PM.

Respectfully Submitted,  
Jeffrey L. Butler, Township Secretary

**The next meeting of the Board of Supervisors will be held on Thursday, July 6, 2017 at 7:30 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.**