

West Earl Township Board of Supervisors, 157 West Metzler Road, Brownstown, PA 17508

In Attendance:

Vice Chairman:	Harold Keppley, Jr.	Member:	Dave Thornton
Member:	Richard Stover	Manager/Secretary:	Candie Johnson
Member:	Keith Kauffman	Police Chief:	Brian Brandt

Chairman Ford was absent.

Call to Order

Vice Chairman Keppley called the May 8, 2017 regular meeting to order at 7:00 p.m.

Public Hearing

Request to rezone 111 Rose hill Road, 3919, 3929 and 3939 Oregon Pike from R-1 to C-2

Melvin Hess, Attorney for the applicant Gary Redcay, was present to review the request with the Board. Mr. Hess began by stating that the scope of the request has been reduced. The applicant is requesting that 3919 and a portion of 3929 Oregon Pike be rezoned from R-1 to C-2. The request to rezone 111 Rose Hill Road, 3939 Oregon Pike and a portion of 3929 Oregon Pike have been withdrawn. The applicant would like to add half of the 3929 Oregon Pike lot to the principal use of the corner lot at 3919 Oregon Pike. Mr. Hess said that the applicant does not want to expand his business or add more cars or paving. He noted that one of the reasons for rezoning would be for safety reasons and said it's currently unsafe to pull out onto Rose Hill Road from the corner lot.

Comments/questions

Vice Chairman Keppley asked about the number of Zoning Hearings for the property. Mr. Hess said there have been two zoning hearings for the expansion of the non-conforming use. Vice Chairman Keppley voiced his concerns with what he considers spot zoning and said if the property is re-zoned to C-2 then the property owner would have all C-2 uses by right. Vice Chairman Keppley feels that re-zoning the property would be appropriate. Ms. Johnson noted that the Planning Commission reviewed the re-zoning request and did not recommend that it be approved by the Board. Mr. Hess asked the Board to consider leaving the record open so they can get the survey of 3929 Oregon Pike and officially amend the proposal. Mr. Hess agreed to extend the decision deadline if needed. Vice Chairman Keppley said that the Board will make their decision within 50 days.

The hearing was closed at 7:18 p.m.

Public Comment/Guests

Matthew Carper, Hooley Dance School – Mr. Carper received a bill from the Township for the traffic light that was damaged by one of his contractors. Mr. Carper said he's paid the final bill from his general contractor and doesn't feel he has any leverage to collect any money for the damaged light. The Board advised Mr. Carper to contact his general contractor about this matter.

Approval of Minutes

Member Thornton noted that John Leid's name was misspelled. Moved by Member Thornton, second by Member Stover to approve the April 24, 2017 meeting minutes as corrected. Motion approved unanimously.

New Business

- **Property Maintenance Ordinance No. 238** – Moved by Member Thornton, second by Vice Chairman Keppley to adopt Ordinance No. 238. Motion approved unanimously.

- **Building Code Official** – Moved by Vice Chairman Keppley, second by Member Stover to appoint Sara Service as the Township’s Building Code Official. Motion approved unanimously.
- **Buch Plan financial security reduction** – Moved by Member Kauffman, second by Member Stover to release the financial security for the Buch Plan in the amount of \$75,698.25. Motion approved unanimously.
- **John Leid Project** – Moved by Vice chairman Keppley, second by Member Kauffman to sign the stormwater management agreement & declaration of easement. Motion approved unanimously. Moved by Vice Chairman Keppley, second by Member Thornton to accept the financial security in the amount of \$40,232 for the John Leid project. Motion approved unanimously.
- **Burkholder Subdivision Plan** – Moved by Vice Chairman Keppley, second by Member Thornton to accept the 90-day time extension for the Burkholder Subdivision Plan. Motion approved unanimously.

Manager’s Report

Project manager for sidewalk grant – Ms. Johnson and Steve Gabriel will be meeting with the project manager.

Conference – Ms. Johnson will be attending a conference next Tuesday, Wednesday & Thursday.

10 Ton Floor Jack – With additional information being provided by the assistant road master, the Board approved selling the 10-ton floor jack on Municibid.

May outlook – Provided by the Assistant Road Master for the Board’s review.

SALDO & Zoning Ordinance rewrite – Ms. Johnson has solicited quotes.

Trash Contract – The contract with Eagle Disposal expires at the end of 2017. The Board agreed to extend the contract for two years.

Coin box – Sylvan & Ashley would like to replace the coin box at the tennis and basketball court lights with a timer.

Eagleview HOA – The Eagleview HOA is considering gifting a basketball court to the Township for installation at the Eagleview Estates park. Ms. Johnson will talk to the Township’s attorney to work out details.

Veterans Association of New Holland – Moved by Vice Chairman Keppley, second by Member Kauffman to make a contribution to the Veterans Association of New Holland in the same amount as last year. Motion approved unanimously.

Payment of Bills

Moved by Member Kauffman, second by Vice Chairman Keppley to pay the bills as presented. Motion passed with a 3 to 0 vote. Member Thornton abstained.

Public Comment

Chief Brian Brandt – Chief Brandt said he attended the recent Zoning Hearing for the Aigler’s fence on Cedar Avenue. He said there was a lot of testimony that had nothing to do with the fence and the Zoning Hearing

Board's attorney should not have let it go on for as long he did.

Harold Keppley – Vice Chairman Keppley mention the Jerre Martin zoning hearing decision and said he has an issue with how the zoning hearing board's attorney wrote the decision. Instead of using "immediate family" the attorney used "family" in relation to who Mr. Martin could employ at his business. Vice Chairman Keppley said he's not sure whether the attorney made a mistake or did it purposely but the decision should not have been written that way.

Supervisors' Comments

Dave Thornton – Member Thornton wanted to clarify his comments about the cricket match at the Stone Quarry Park. He said he didn't feel that the group would have needed a certificate of insurance he was just concerned with a non-township employee mowing the park. Ms. Johnson said the group found a different location to have their cricket match. Member Thornton attended a webinar on priority-based budgeting and said it looked good and could be beneficial to get more details.

The Board briefly discussed sidewalk repairs along State Roads.

Adjournment

Moved by Member Kauffman, second by Member Thornton to adjourn the May 8, 2017 regular meeting at 8:27 p.m. Motion approved unanimously.