

Conewago Township Board of Supervisors

October 2, 2018

-Call to Order & Pledge of Allegiance:

The regular meeting of the Board of Supervisors was held at the Township Municipal Building. The meeting was called to order by the Chairperson, at 7:00pm. Those in attendance were, Lorreta Wilhide (Chairperson), Brian Klinger (Vice Chairman), Daryl Hull (Supervisor), Timothy Bupp (Solicitor), Terry Myers (Engineer), Todd Smith (Public Works Director), and Lou Anne Bostic, (Manager).

-Resolution of Recognition for Ryan Robbins Military Service was presented by Chairperson Lorreta Wilhide to Mr. Robbins father in Ryan's absence. Ryan is serving in the US Airforce and is currently stationed in Okinawa.

-Recognition of Public Requests:

-Timothy Goodwin, 125 Kern Road presented the following questions to the Board:

1- Neighbors chickens running loose. Ms Wilhide will look into this matter.

2- Vehicle License Plate transfer fees. Mr. Goodwin does not feel the fee is fair and will be contacting state representatives.

3- Mr. Goodwin heard that ES3 is enlarging and building on their property. The Board informed him that the township is not aware of any building activity.

-James Zander, 830 Bremer Road, informed the Board that he has completed research detailing the importance of using native plants in the township. Mr. Zander will leave a copy for the Board after the meeting.

-Ms Wilhide thanked everyone for attending the Township's Bicentennial Celebration on September 15th. Reporting that the event was well attended and enjoyed.

-Approval of Agenda: Motion by Mr. Klinger, second by Mr. Hull, unanimously carried to approve the agenda as prepared. Vote: 3-0

Chairperson Wilhide announced that the Public Hearing continuance will be addressed at this time.

-Public Hearing: Ordinance #360, an ordinance to rezone property located at 619 Greenspring Road from Agricultural to Industrial.

-Attorney Cortney from Mc Nees Law and numerous other representatives from GNAP (Goodman) further explained the request to amend the zoning ordinance and map to allow construction of a warehouse. (See BOS minutes, September 4, 2018)

A draft copy of a Memorandum of Understanding was presented to the Township to address the concerns that were voiced at the September meeting. The memorandum basically addresses two main parts:

Part One addresses design commitments including road frontage, property access, landscaping, lighting, a conservation easement and noise concerns.

Part Two addresses traffic improvements including a concept plan for rerouting the southbound exit at I83, and additional signalization on Cloverleaf Road. This plan has not been vetted by the Township, PennDOT or any other agencies. Attorney Cortney stated that improvements will have to be found and implemented.

The Memorandum of Understanding and all conditions will be addressed during the next phase if the property is rezoned. (Land Development Plan)

- Ms Wilhide requested the following information:
- How much frontage will be obtained from the Aaron Enterprise subdivision. Approximately 100 feet will be purchased to add to the tract to meet the lot frontage requirement, making the existing non-conforming lot a conforming lot.
- Building distance from road. The building will be approximately 300 feet from the closest point to Cloverleaf Road.
- Total of the 83 acre parcel that will be kept in a conservation area. Approximately 25 acres will be kept in a conservation area.
- Craig Mellott, Traffic Designer presented an exhibit showing the concept plan to address the traffic.
- Jody Newcomer, 390 Cloverleaf Road is not in favor of the concept plan and feels that it would be worse for Cloverleaf traffic due to current road conditions during the winter months and normal daily traffic patterns.
- Todd Gross, 693 E. Butter Road stated his concerns about the relocation of the southbound exit ramp shown on the concept plan.
- An exhibit showing elevation and ground fill was explained.
- Mr. Hull would like to see the fill area forested and not planted with vegetation.
- James Zander, 830 Bremer Road asked for the expected gradient of the conservation area and was informed that the area will not be changed. Mr. Zander stated that he will find another way to work if this property is rezoned.
- Timothy Goodwin, 125 Kern Road, stated his own experience driving truck and feels that this is a nightmare and he is against it.
- Mr. Klinger explained the southbound I83 exit ramp relocation concept.
- Ms Wilhide presented a traffic accident report from Northern York County Police that was requested by Ms Newcomer at the September meeting. The report noted 14 crashes at the intersection of Cloverleaf Road and the Susquehanna Trail since 2014, with only 1 accident in 2018. Ms Newcomer received a copy of the report before the meeting tonight.
- Todd Gross, 698 E. Butter Road asked for the required setbacks for the existing properties located in the area. The zone setbacks are located in the Zoning Ordinance and vary by zone. At this time Mr. Hull informed the Board and the Public of the pending developments that are coming to the area, from other Township's and Conewago Township. Mr. Hull has been attending the Canal Road Betterment Task Force meetings with PennDOT and the Developers along with township representatives and engineers from East Manchester, Conewago and Manchester Township. The projected, and some approved, developments follow:
- Conewago Township – over 300 acre property, zoned Village Zone, proposed housing development
- East Manchester Township – 1 million square foot warehouse along Zions View Road
- Conewago Township – Sheetz mega store at the Cloverleaf and Susquehanna Trail intersection, across from I83Restaurant
- Conewago Township – proposed Hotel on Cloverleaf Road
- Conewago Township – proposed crane facility on Cloverleaf Road, next to Wendy's
- Mr. Hull stated that Conewago Township cannot afford the traffic improvements that will be necessary to address the additional traffic. Mr. Hull feels that the GNAP representatives have stated their good faith to be included in the traffic improvements that will be necessary.
- Jody Newcomer, 390 Cloverleaf Road asked if the projects are approved already without the traffic being addressed. Mr. Hull stated that some of the projects are approved by other municipalities.
- Eva McCarty, 220 Cloverleaf Road asked where the entrance to the warehouse will be located and is upset that traffic will be by her house.

- Vincent Rice, 300 Cloverleaf Road explained that the entrance would be located on the property that he would sell to the developer and is proposed to be installed where the existing basin is located.
- Timothy Goodwin, 125 Kern Road disagrees with Mr. Hull's comments about the above impacts and voiced his opinions regarding the I83 entrance and exit ramps.
- Ms Wilhide asked Attorney Bupp if the ordinance and MOU need to be acted upon. Mr. Bupp explained that the Ordinance to rezone the property is the only item that requires further action from the Board at tonight's meeting.
- Attorney Bupp explained that the testimony was reopened tonight. The comments from The York County Planning Commission have been received and they have unanimously recommended denial of the rezone request.
- Chuck Zitnick, 2020 Bremer Road, Conewago Township Planning Commission Chairman stated that the request was recommended to be denied at their meeting also.
- Vincent Rice, 300 Cloverleaf Road spoke about the existing and proposed traffic dilemma. Mr. Rice feels that solutions and compromise are possible and the entire corridor from I83 to Canal Road needs to be addressed. Mr. Rice said that the township should obtain private funding to complete the necessary improvements and he is willing to contribute the money he would get for the sale of his one acre property to the traffic improvements.
- Jody Newcomer, 390 Cloverleaf Road stated that the rezone would have an adverse financial effect on the individual property owners and wants to know what would happen then.
- Mr. Hull responded that property values around GNAP's other locations have doubled. This is just rezoning not land development, all other concerns will be addressed in the next phase if the property is rezoned.
- Arlette Figdore, 475 Jug Road stated that she has 122 acres of agriculture. Ms Figdore honored the work that has been done in considering this request but stated that this all goes back to the Comprehensive Plan. She stated that she does not have a problem with the township making changes but cautioned the Board not to do it arbitrarily or capriciously or to your relatives, friends or anything. You set yourself up for legal problems because the Board will be held to the same standard the next time someone comes before them with a special exemption and things like that.
- Chuck Zitnick, 2020 Bremer Road as the Planning Chair has spoken with the county planner who has real problems with the warehouse development in the north I83 area of the county.
- Mr. Klinger asked Attorney Bupp if the MOU is a legal binding contract. Mr. Bupp told him that he should ask Attorney Cortney and he informed Mr. Klinger that he drafted it as a binding contract.
- Mr. Hull stated that the details will be worked thru in the next phase if the property is rezoned.
- Attorney Cortney explained the forward process that would be taken. Mr. Klinger does not want occupancy before the traffic improvements are completed.
- Attorney Bupp stated that he feels the submission of the MOU is a demonstration of good faith, not to be confused with a guarantee or commitment. This is a rezoning request only with the Board holding a Quasi-Judicial Hearing.
- Attorney Bupp informed the Board that the I83 Logistics Plan has been withdrawn. Ms Bostic informed the Board that the township has not received a written plan withdrawal as of this time.
- Mr. Klinger wants to be sure that the bases are covered for the money commitment that will be needed from the Developer.
- Mr. Hull announced an addition to his earlier presentation regarding the development in the area. Canal Road Extended, Hillwood Developer is under contract for another warehouse. PennDOT's recommendation to Mr. Hull is to get all the Developers together and plan a way to pull all their finances to do Exit 28 improvements before PennDOT does anything.
- Terry Myers stated that improvements to Exit 28 is a low priority on the York County list.
- Mr. Klinger wants the funding guaranteed now by the Developer.

-Mr. Klinger asked Attorney Bupp if the property could be rezoned back to agricultural again. Mr. Bupp explained that a rezone again on a same piece of property is not a good idea.
-Mr. Hull stated that the traffic problems at I83 already exist and are very taxing on the fire company.

-Motion by Mr. Hull, to approve the rezoning request and adopt Ordinance #360. Mr. Klinger stated his concerns with traffic problems. Second by Mr. Klinger. Ms Wilhide stated that this is a hard decision and that she is not 100% on board with the rezoning request.
Motion carried by a vote of 2 to 1. Vote: Hull: aye Klinger: aye Wilhide: nay

-Ms Wilhide recessed the meeting at 8:41 pm for a short break.
-Ms Wilhide reconvened the meeting at 8:49 pm.

-Approval of Previous Minutes: Motion by Mr. Hull, second by Mr. Klinger, unanimously carried to approve the previous minutes of September 4, 2018. Vote: 3-0.

-Planning & Zoning: None

-Reports:

- Police Report and Building Permit Report for September. Ms Wilhide commented on the increase in police call volume. Motion by Mr. Klinger, second by Mr. Hull, unanimously carried, to approve the reports. Vote: 3-0.

-Treasurers Report:

-Mr. Hull questioned the Fire Relief Fund entries that were reported as both revenue and expense. The entries show a wash of the funds for accounting purposes. Motion by Mr. Hull, second by Mr. Klinger, unanimously carried, to approve the September 2018 Treasurers Report. Vote: 3-0.

-Road Report:

-Todd Smith, Public Works Director reported that the paving of Butter Road is completed and the contractor will be returning to finish the road sides.

-Solicitors Report: Attorney Bupp discussed the following:

- Three zoning violations filed with the District Justice are moving forward.
- The Dermody Land Development Agreement- no further action pending official notice of withdrawal by the applicant.
- Draft copy of the proposed ordinance for a Target Practice Safety Zone was presented to the Board for their review.
- Mr. Hull reported that he is still waiting for a return call from the NRA for their opinion and comments.
- Brad Krout, 80 Kern Road asked for information on the draft proposed ordinance. The Board informed Mr. Krout that the Board will review the document.
- Motion by Ms Wilhide, second by Mr. Hull, unanimously carried, to authorize advertisement of the Trash and Recycle Collection Bid request for the new contract period effective January 2019. Vote: 3-0.

-Engineers Report: Terry Myers presented a written report.

-Mr. Myers presented an agreement from The York County Planning Commission requesting the township's authorization for C.S. Davidson to release all the storm water information that is in their possession. Mr. Hull is in favor of authorizing the agreement but not township funding.

-Unfinished Business: None

-New Business:

-Trick or Treat is scheduled for October 31st. from 6pm to 8pm.

-Budget workshops are scheduled for 7:00 pm on October 10th, October 17th and October 24th.

-Reminder that the township is always looking for residents interested in serving on any Township Commissions, Authorities or Boards.

-Other Business:

-Ms Wilhide presented a traffic accident report for the Canal/Copenhaffer Road intersection, on the Quickel Church side, showing 5 accidents in 2018. Ms Wilhide would like to look into closing this section of Copenhaffer Road. Mr. Hull referenced the traffic study for the signalization of the Canal/Trail intersection that would require major improvements in order to close the road.

-Ms Wilhide would like to move forward with the “Memorials” that will be offered to the public for the benches and trees at the Mill Creek Park. Mr. Hull asked if multiple memorials could be obtained for each item. The Board thinks that each purchase should be priced at \$400.00. The Board will review further.

-James Zander, 830 Bremer Road informed the Board that he is turning in a resource folder for native planting to the Board for their review. Mr. Zander also will be turning in his written thoughts on target shooting. The Board will be copied on both.

-The next step for the rezoned property will be submitted by the Developer in the next few months. Mr. Hull stated his opinions on the traffic situation and the need for the Developer to pay for the traffic improvements.

-Ms Wilhide reported that Bicentennial shirts and bags are for sale at the township office. (Cost: \$5.00 each)

The meeting was adjourned at 9:23 pm.

Respectfully submitted,

Lou Anne Bostic - Manager