

Brecknock Township
Board of Supervisors Meeting
March 12, 2019

The regular meeting of the Brecknock Township Board of Supervisors, Lancaster County that was scheduled for March 12, 2019 was held at the Brecknock Township Building, 1026 Dry Tavern Road, Fivepointville. The meeting was called to order by Chairman Jerry Long at 7:00 p.m.

At this time the Pledge of Allegiance took place followed by Roll Call of Officials.

Present were Jerry Long, David Leinbach, Arthur Zerbe, Liz Magovern, Esq., & Carol Martin. Mike Reinert was not present.

Community Open Session – No one wished to speak.

At this time Liz Magovern gave an overview of the legal aspects of the advertised public hearing for a proposed rezoning and a proposed zoning text amendment.

Rezoning - The Brecknock Township Planning Commission reviewed the proposal for the rezoning on November 26, 2018 and the Lancaster County Planning Commission on January 28, 2019. Both the Brecknock Township Planning Commission and the Lancaster County Planning Commission recommended adoption. The purpose of this rezoning is to help provide services for the local residence within walking distance. After hearing a few comments from the public a motion was made by Long and seconded by Zerbe to adopt ordinance 219-2019 known as AN ORDINANCE AMENDING THE ZONING MAP REFERENCED IN CHAPTER 110, SECTION 110-15 OF THE CODE OF ORDINANCES OF BRECKNOCK TOWNSHIP, BY CHANGING THE ZONING CLASSIFICATION OF TWENTY-THREE TRACTS OF LAND FROM THE RESIDENTIAL MEDIUM (RM) ZONING DISTRICT TO THE NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT. All in favor, motion was approved.

Text Amendment - The Brecknock Township Planning Commission and the Lancaster County Planning Commission both reviewed the proposed text amendments for Dog Kennels. This proposal was before the Brecknock Township Planning Commission and the Lancaster County Planning Commission on February 25, 2019. Both commissions have recommended adoption. A little background is the current zoning requires dog kennels to be approved by Zoning Hearing Board as a special exception. This proposed change would now make any small kennel (less than a class 4) allowable by right and larger class 4 kennel would now be a conditional use before the Board of Supervisors. After some discussion a motion was made by Long and seconded by Zerbe to adopt ordinance 220-219 known as REVISING AND AMENDING CHAPTER 110 ENTITLED “ZONING” OF THE BRECKNOCK TOWNSHIP CODE OF ORDINANCES, KNOWN AS THE BRECKNOCK TOWNSHIP ZONING ORDINANCE OF 1993, BY AMENDING ARTICLE II ENTITLED “DEFINITIONS” TO REVISE THE DEFINITION OF KENNEL; BY AMENDING ARTICLE V, SECTIONS 110-18, 110-19, AND 110-20 TO MAKE KENNELS A USE PERMITTED BY RIGHT IN THE AGRICULTURAL (AG), AGRICULTURAL-2 (AG-2), AND FOREST RECREATION (FR) ZONING DISTRICTS; AND BY AMENDING ARTICLE VII ENTITLED “PERFORMANCE

REGULATIONS” TO REVISE SECTION 110-58 ENTITLED “VETERINARY FACILITIES AND KENNELS”. All in favor, motion was approved.

GUEST – Lake in Woods - Kate Bond representing Atwell Group for Lake-in-Wood was scheduled to come before the board this evening but do to an accident she was unable to get attend. Jerry read from their written request stating that they are requesting approval of a waiver and conditional preliminary/final plan approval. Motion was made by Long and seconded by Leinbach to approve a waiver of Section 98-19 for the land development to proceed to Final Plan without Preliminary approval and give conditional preliminary/final plan approval contingent upon satisfying all comments outlined in the Township Engineers review letter of February 22, 2019. All in favor, motion approved.

Arthur did ask whether current residents using the access drive into the rear of the quarry and the Boy Scout camp are aware of the change in that access. Will ask Mike R. to follow up on that.

1399 Bowmansville Road LD Motion was made by Long and seconded by Leinbach to grant the following for 1399 Bowmansville Road LD project; Waiver from Sections 93-13D & 15.F(1)(a); Section 93-13.E; Section 93-14.A(5)(a); Section 93-14.C(1)(d); Section 93-17.C; Section 93-18.D(2); Section 98-19; Section 98-26.B(2)(d) as well as requesting conditional preliminary/Final Plan approval contingent satisfying all the comments of the township engineer letter dated February 18, 2019. All in favor, motion approved.

A motion was made by Leinbach and seconded by Zerbe to approve the minutes of 02/18/19 as presented. All in favor, motion was approved.

A motion was made by Zerbe and seconded by Leinbach to approve the bills as presented. All in favor, motion was approved.

REPORTS

Roadmaster Report –A discussion took place on a request from the roadmaster to hire an additional fulltime person. It was discussed whether he could say which project need a 3 man crew vs ones that need a 4 person crew. He felt that may be difficult to determine. He was also asked if he could work with just having part-time help he indicated anything would help. No action was taken at this time.

In the road masters report he provided cost estimate for paving of the lower entrance of Brubaker Lane. Two estimates were received Lyons & Hohl for \$17,888 and one from Hackman Pacing for \$19,202. The proposal is for the first 250 ft. of Brubaker Lane off of Lone Ln to get 3 inches and the last 250 ft. would get 2 inches. With the incline in the road there would be no need for the 3” toward the second half of the 500 ft. These proposals were reviewed by the Park Board and approved recommending to the Board of Supervisors they award the job to Lyons and Hohl. Motion was made by Zerbe and seconded by Leinbach to award the job to Lyons and Hohl at the bid price of \$17,888. All in favor, motion was approved.

At this time the Black Creek Restoration Project at Brubaker Park was discussed. Andy Baum made a request to the Lancaster County Conservation District for assistance to restore the stream. Lancaster County Conservation District obtained funding to do the project from DEP Exelon. The Township is being asked to sign a Conservation Agreement for the work to be performed. Arthur and other board members felt they needed more detailed information on what they are proposing to do, he felt the drawing that was provided by Lancaster County Conservation District through Andy wasn't enough as well as he had some questions also. After discussion it was decided to ask Lancaster County Conservation District to come and give more information on their proposal before any agreement will be executed by the township.

At this time the bids for overlay of Oaklyn Drive were discussed. Three bids were received New Enterprises Stone at the bid cost of \$137,880; Pennsy Supply \$190,000 and H&K Group Inc at \$132,600. A motion was made by Leinbach and seconded by Zerbe to award the 2019 Road Project to the lowest bidder H&K Group for \$132,600. All in favor, motion was approved.

Engineer's report

Items Requiring Board action/approval

The following items within the engineering report require Board action/approval this month:

1. **Randall L. Weaver SWM** – Received memorandum of understanding and stormwater management agreement. Issued financial security recommendation letter dated February 25, 2019 in the amount of \$3,850.00.
2. **Dominic Bernaudo SWM** – Issued financial security release recommendation dated March 1, 2019 in the amount of \$1,870.00.
3. **Aaron Hoover Land Development** – Received memorandum of understanding from the applicant.
4. **1341 Hilltop Road Lot Add On Plan** - Received memorandum of understanding from the applicant.
5. **Robert & Deborah Books SWM** – Received request for waiver to utilize small projects application per letter dated March 5, 2019. Received memorandum of understanding from the applicant.

A motion was made by Zerbe and seconded by Leinbach to accept and approve all of the recommendations noted by the Township Engineer. All in favor, motion approved.

Liz Magovern mentioned that she had been contacted by Dan Becker, attorney for Maple Ridge North regarding a recent Zoning Officer determination regarding corner lot. She will respond to him confirmation she agrees with the ZO determination.

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A motion was made by Zerbe and seconded by Leinbach to accept the Roadmaster, Engineer, SEO, Zoning & Solicitor reports as presented. All in favor, motion approved.

PARK & RECREATION – The Park & Recreation Board have approved having an Egg Hunt at Brubaker Park on April 6th with a rain date of April 13th. They are looking for approval to spend no more that \$550 to cover expenses for material needed. Donations are being accepted as well. Motion was made by Zerbe and seconded by Leinbach to authorize the expenditure for the egg hunt not to exceed \$550.00. All in favor motion approved.

OLD BUSINESS – Act 537 Special Study - No new update at this time.

NEW BUSINESS

A request has been made for the Zoning Hearing Board Members as well as the Zoning Officer to attend a workshop The Duties of the Zoning Hearing Board on May 7, 2019 at the cost of \$50 per person. Motion was made by Long and seconded by Leinbach to authorize the payment for the workshop at \$50 per person as well as a \$25.00 traveling expense. All in favor, motion approved.

Jerry Long proposed to the Board to give the Fire Companies and the Ambulance Assoc. an additional donation to help cover their volunteer banquets. After some discussion a motion was made by Long and seconded by Leinbach to give both Fivepointville Fire Co and Bowmansville Fire Co \$1,000 and Fivepointville Ambulance \$500 as the township's token of appreciate to help cover their annual banquet cost. All in favor, motion was approved.

A motion was made by Zerbe and seconded by Leinbach to adjourn the meeting at 8:56 pm. All in favor, motion approved.

Respectfully Submitted,
Carol L. Martin
Admin/Secretary/Treasurer