

MINUTES  
PUBLIC WORKS COMMITTEE  
JANUARY 3, 2017

The Penn Township Public Works Committee convened on Tuesday, January 3, 2017 at 7:25 P.M. following the Finance Committee meeting. Present were Chairman Klunk and Commissioners Brown, Felix, Heilman, and Van de Castle. Also present were Township Manager Rodgers, Police Chief Laughlin, Fire Chief Cromer, Police Lieutenant Hettinger, Engineer Bortner, WWTP Superintendent Mahone, Zoning Officer Swanner, Highway Foreman Mahan, Assistant to the Engineer Garrett and Township Secretary Hallett. The following items were discussed:

ANNOUNCEMENTS: None.

APPROVAL OF THE MINUTES: The minutes of the December 6, 2016 Public Works Committee meeting were approved as submitted.

CITIZEN'S COMMENTS: Lynn and Mike Sanders, 33 Alexander Drive were present to discuss a fence going up around a pond in High Pointe North. They said there is a fence being put up around the pond behind their property. The fence was never mentioned when they were sold the property and it will cut through their property making it impossible to enjoy the view of the pond or put in a swimming pool. Mrs. Sanders said J.A.Myers never told them about the fence and it was not indicated on any of their paperwork. The developer, High Pointe, LLC, refused to make a formal request to have this issue put on the agenda. Commissioner Klunk said there is a plan, dated 2006, that shows a fence around the pond. He said there have been similar variance requests in the past and they have not been granted. Mrs. Sanders questioned who is responsible for the fence once the builder turns it over to the Home Owner's Association (HOA) and it will be the HOA. She also asked why it has to be a chain-link fence and Commissioner Klunk told her that's how the ordinance is written. Mrs. Sanders asked for guidance on how to proceed. Commissioner Felix said he could not advise her other than to say it is a civil matter if she feels she was deceived by the builder or developer.

Daniel Keller, 30 Alexander Drive, introduced himself as the HOA President and asked who is in control of gate access once the fence is turned over to the HOA. Commissioner Klunk said the HOA will have control. Wade Collins, 31 Alexander Drive, had the same question.

George Lebowski, 25 Alexander Drive, said he has a four foot wrought iron fence surrounding his swimming pool and asked why a similar fence can't go around the pond. Commissioner Klunk said they are governed by different ordinances. Commissioner Felix said approving variances opens the Township up to liability and lawsuits as well as himself personally if he votes against the Township Ordinance. Mrs. Sanders asked if they could put up a different fence once the HOA owns it. Commissioner Klunk said they would have to present a request to the Board, they cannot arbitrarily put up any fence they choose. It would be the same request the Board has denied countless times.

ENGINEER'S REPORT: Engineer Bortner had no new plans to report on. Commissioner Felix asked if the Burkentine lot where the recycling center used to be was supposed to have a retention pond. Engineer Bortner said it's called a water garden which is a slight depression with plantings and shouldn't have more than six inches of water. Commissioner Felix asked that someone look at how deep it is. He said it's more than six inches and already has grass planted. Engineer Bortner said the grass is probably for stabilization. Zoning Officer Swanner said he'd go look at it but it is likely temporary erosion and sediment control.

EXTENSION REQUESTS: Zoning Officer Swanner reported on the following extension requests:

Meadowsprings LLC just received comments from York County Conservation District.

Wellspan is waiting on outside approvals.

TrueNorth Wellness Services has some erosion control issues to work on and they are waiting on PennDOT approval.

South Heights is working on a revision based on their waiver request being denied.

CONAGRA REQUEST: The Committee received a request from The Dennis Group asking for additional bollards in the Township Right-of-Way. Larry LaFleur, Conagra, was present for this request. He said Conagra would like to install six extra bollards going around the telephone and electricity poles on the east and west sides of the building. These poles provide main power to the building and they'd like to protect them after noticing how close trucks get to the poles when backing in. Commissioner Brown asked where they are in completion of the project and they are about 80% finished. Commissioner Van de Castle asked if they had considered a guiderail and they had not. Commissioner Felix does not want the additional bollards in the right-of-way; Commissioners Heilman and Brown agreed. Commissioner Klunk said it's a safety issue and he's in favor of it. After discussion the Committee denied the request.

PROPOSED WELLSPAN AGREEMENT: Jeff Lobach, Barley Snyder Attorneys at law, introduced himself as representative for WellSpan Properties. He said they're here to seek guidance and make sure they're communicating effectively with the Township. He gave a brief overview of the project. He said the Township requested some land at the end of Willow Court so the cul-de-sac can be rounded out and WellSpan agrees to this. He said WellSpan submitted a waiver of preliminary plan, that was granted, and they now regret that course of action. He asked if their current submission can be treated as a preliminary plan rather than a final. Commissioner Klunk said that is an option if WellSpan submits the proper request. They will need to request the Board to rescind the waiver previously granted.

Mr. Lobach said they are working with Stonewicke to get access for the Meadow Lane extension. They are planning to show the access off of Meadow Lane as a temporary utility easement access.

Mr. Lobach reported that the traffic study is complete and they submitted their Highway Occupancy Permit to Penn DOT showing a center turn lane From Grandview

Road to just after Willow Court. Commissioner Klunk thought they had agreed to take the center turn lane to Squire Way. Engineer Bortner said they will need to go, at least, to Squire way if there will be no parking along Baltimore Street after Willow Court. Residents along Baltimore Street will need to be able to get to the alleyway to access their homes. He said the Board had asked WellSpan to make improvements on Baltimore Street to Clover Lane. There was discussion concerning previous meetings and understandings about the center turn lane. Mr. Lobach said they have submitted this to Penn DOT for approval but are willing to discuss changes. WellSpan is willing to make a traffic impact contribution for future improvements. He said they are willing to extend the road improvements to Squire Way if that would help. Commissioner Klunk said the Township is still interested in improvements all the way to Clover Lane. Commissioner Brown had concerns about the people on Baltimore Street accessing their homes if the parking is taken away. He asked about putting parking pads in behind the homes. Mr. Lobach said WellSpan will not be able to access private property to lay asphalt. He agreed to taking the Center turn lane to Squire Way and making a \$150,000 traffic impact contribution and said he submitted a Developer's Agreement to the Township Solicitor showing this amount. Commissioner Klunk said they will discuss this with the Solicitor and get back to WellSpan after January 16, 2017. Mr. Lobach said he will need to know the amount of property to dedicate at the end of Willow Court and Engineer Bortner said he will work on that. Mr. Lobach will revise the Developer's Agreement and submit it to Solicitor Tilley and Manager Rodgers.

WWTP Superintendent Mahone said he thought the sewer was going through Stonewicke and then down through Hanover Borough. He said they can handle the flow at the pumping station but WellSpan's sewer module would need to be revised. Bob Sandemeyer said he has a letter from Hanover Borough for acceptance of the flow. Mr. Mahone said treatment in the interim will be handled at the Penn Township plant and DEP needs to know that. Mr. Mahone asked if dialysis will be performed at this location and Mr. Heidelbaugh said it will not. Mr. Mahone thought dialysis was used to determine the EDU formula for the facility. Mr. Sandemyer said DEP doesn't have this type of facility so he had to use two WellSpan facilities to come up with the total of two hundred five EDU's. Mr. Mahone asked if they foresee any hazardous material disposal. Mr. Sandemeyer said medical waste is handled separately.

RECREATION: Manager Rodgers reported the Mater Plan Committee will have their first meeting on January 11, 2016.

OTHER MATTERS: None.

The meeting was adjourned at 9:06 P.M.

Respectfully submitted,

Angela M. Hallett  
Township Secretary