

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 25, 2018  
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, January 25, 2018 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Mark Swomley, Chairman  
George Dvoryak, Vice Chairman  
Kathleen Phan, Assistant Secretary/Treasurer  
Blanda Nace  
Charles Wurster

**ALSO IN**

**ATTENDANCE:** Benjamin Marchant, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Dennis Crabill, Environmental Engineer  
Dori Bowders, Manager of Administrative Operations  
Jessica Fieldhouse, Director of Community Development  
Mark Hodgkinson, Director of Public Works/WWT  
Teresa Hummel, Finance Director  
Nitza Sanchez-Bowser, Director of Human Resources  
Lt. Beam, Chief, Police Department  
Andy Hinkle, Manager, Information Systems  
John Woods, YAUFRR  
Jean Abrecht, Stenographer

**1. CALL TO ORDER**

A. Opening Ceremony

**SWOMLEY** Chairman Swomley called the meeting to order and led the Pledge of Allegiance.

**ANNOUNCEMENT OF EXECUTIVE SESSIONS**

A. January 11, 2018 – 8:30 p.m. – Collective Bargaining and Personnel

**SWOMLEY** Chairman Swomley announced that an Executive Session had been held on January 11, 2018 at 8:30 p.m. to discuss Collective Bargaining and Personnel

**2. COMMUNICATION FROM CITIZENS**

There were no citizen comments.

**3. ENGINEERING REPORTS**

A. Environmental Engineer – Buchart Horn, Inc.

**CRABILL** Mr. Crabill had provided a written report. He provided an update on the East York Interceptor Project. There had been two occurrences where the contractor moved slightly wide outside of the rights-of-way, and there were two upset landowners, one in Springettsbury and one in Windsor. He reported they are doing their best to keep them inside the boundaries.

**SWOMLEY** Chairman Swomley questioned whether completion was on track.

**CRABILL** Mr. Crabill responded that the overall Project Manager forgot the last meeting, but the field personnel attended. They had not submitted their schedule, which had been requested. However, they appear to be on schedule.

**NACE** Mr. Nace questioned whether they are still using two crews.

**CRABILL** Mr. Crabill responded that they are.

B. Civil Engineer – First Capital Engineering, Inc.

**LUCIANI** Mr. Luciani had provided a written report. He had several updates:

- Wallingford Development – Some as-built drawings had been submitted indicating that the developer is still moving forward. In addition, some line striping had been done moving toward finalization.
- Two plans are on the Agenda for discussion and approval: Reich Acquisition One, LP and Brewery Products.
- Apple Nissan is considering expanding their building.

#### **4. CONSENT AGENDA**

- A. Acknowledge Receipt of December 31, 2017 Treasurer’s Report
- B. Acknowledge Receipt of November 21, 2017 York Area United Fire and Rescue Commission Minutes
- C. Board of Supervisors Conditional Use Hearing Minutes – November 30 and December 13, 2017
- D. Board of Supervisors Reorganization Meeting Minutes – January 2, 2018
- E. Board of Supervisors Regular Meeting Minutes – January 11, 2018
- F. Regular Payables as Detailed in Payable Listing of January 25, 2018
- G. LD-16-01 – Misericordia Nursing & Rehab Facility – Authorization of Bond Reduction in the amount of \$13,340.70 (remaining bonded amount \$2,280)

**MR. DVORYAK MOVED TO APPROVE AGENDA ITEMS A THROUGH G. MR. NACE WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

#### **5. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS**

There were none for action.

**6. SUBDIVISIONS AND LAND DEVELOPMENT**

**A. LD-17-02 – Reich Acquisition One, LP (Toyota of York) Final Land Development Plan**

**SANDMEYER** Bob Sandmeyer, Site Design Concepts, represented the plan. He provided background for the Final Land Development. They plan to tear down two existing buildings on Whiteford Road and Whiteford Court and build a new 19,000 square foot facility. There will be no employee additions. The plan had moved through the township process and is in the Final Land Development stage. It includes an underground storm water system for the site as well as a smaller one in front of the building. An approval letter is still needed on Public Improvements Bond. They have requested four waivers:

- Submittal of Final Plans to be Preliminary
- Plan Scale
- Modification of the streetscape and buffer yards; plants and shrubs to be spread across the site.
- Modification of curbing: Six inches within the property only, eight inches outside in township right-of-way.

Additional discussion included pedestrian movements on Memory Lane; No PennDOT changes to traffic patterns in the area for foreseeable future (currently operating at a level of service A).

**MR. NACE MOVED TO APPROVE LD-17-02 WITH THE WAIVERS AS STATED IN THE STAFF REVIEW. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-17-05 - Brewery Products Final Land Development Plan**

**ANDERSON** Adam Anderson, Site Design Concepts represented the Final Land Development Plan for Brewery Products. Messrs. Derek Siegel and John Keesee of Brewery Products accompanied Mr. Anderson. The plan moved through a Subdivision with conditional approval to consolidate five lots. The plan is to tear down an existing maintenance shed and construct a 32,000 square foot expansion for a variety of products in the distribution center. There will be no additional employees or truck traffic with the plan. They worked through a Flood Plain issue, storm water, number of parking spaces, and have two outstanding comments, one for Financial Security Bond and seven waivers and modifications as follows:

- Waiver for submission of a Preliminary Plan; plan is to submit a Preliminary/Final Plan.
- Submission of Traffic Impact Study; a Traffic Summary Letter was submitted due to no increase in traffic.

- Modification for installation of curbing along Eberts Lane and 10<sup>th</sup> Avenue; six-month notification if the township ever wanted that curbing done.
- Modification of installation of sidewalk; also with a six-month note.
- Waiver for installation of landscaping and buffer yards streetscape along North Sherman Street and Ebert Lane; 83 and 10<sup>th</sup> Avenue.
- Modification of Installation of streetlights; also including a six-month note.
- Modification of installation of concrete curbing on access ways; six-month note included.

**SWOMLEY** Chairman Swomley asked if the special exceptions had been approved by the Zoning Hearing Board for extending into the 100-foot setback.

**ANDERSON** Mr. Anderson responded that he was correct. The new building will not encroach any further than the existing maintenance shed.

**NACE** Mr. Nace questioned a comment in the Engineer's review letter noting the paving as a public improvement.

**LUCIANI** Mr. Luciani responded that public improvements are required if there is bituminous surface.

**NACE** Mr. Nace asked if staff was comfortable with the waivers and six-month notes.

**FIELDHOUSE** Ms. Fieldhouse responded that staff agreed.

**LUCIANI** Mr. Luciani commented on an agreement with an adjoining property owner, which permits him to park his vehicle on their property.

**WURSTER** Mr. Wurster commented that the Planning Commission received testimony from the owners of that house to be in good relations with Brewery Products.

**MR. NACE MOVED TO APPROVE LD-17-05 WITH THE ONE WAIVER AND SEVEN MODIFICATIONS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

C. Letter of Request for Local Economic Revitalization Assistance (LERTA) from Endurance Real Estate Group, LLC for Properties Located at 693 North Hills Road

**HANSEN** Kenetha Hansen, York County Economic Alliance, stated that the York County Economic Development team is called upon to initiate and facilitate conversations and requests of taxing bodies for projects and programs like LERTA. She introduced David Erlbaum to speak concerning the property in question at 693 North Hills Road.

**ERLBAUM** David Erlbaum, Endurance Real Estate Group, spoke as the proposed developer of the property. The property in question at 693 North Hills Road was formerly known as ACSIS, York Shipley, and Donnelly. The redevelopment opportunity

had been moving through the Land Development process. Mr. Erlbaum itemized various problems with the property, which are summarized for these minutes:

- Buildings range in age from 30 to 70 years old; currently vacant and functionally obsolete.
- Collection of buildings used for manufacturing, distribution, office.
- Buildings not conducive to current warehousing due to facility design requirements and heights. Column spacing not efficient and loading doors are undersized.
- Demolition necessary to fully develop property. Consideration of drainage swale relocation.
- LERTA would be good economic development tool to assist with expenses for demolition and swale relocation to market as a viable site.

**ERLBAUM** Mr. Erlbaum stated that there is interest in warehouses in Central Pennsylvania given the good road network.

**NACE** Mr. Nace commented that he had been in the building. He described it as a rusty mess.

**WURSTER** Mr. Wurster asked whether he would expect any site challenges other than the swale issue.

**ERLBAUM** Mr. Erlbaum responded that they anticipate contending with some rock as part of the excavation. They had been working with Mr. Luciani and Mrs. Fieldhouse on the storm water management.

**NACE** Mr. Nace asked for the status on the Land Development process.

**FIELDHOUSE** Ms. Fieldhouse responded that they would go before the Planning Commission currently as a Briefing item. They will be at staff meeting on February 6. It is progressing well with relatively few issues.

**WURSTER** Mr. Wurster commented on the tax law changes and that it lowered the corporate income taxes. He wondered how that might influence LERTA given that the taxes are much lower now than they were in the past.

**ERLBAUM** Mr. Erlbaum responded that LERTA is an abatement of the real estate taxes. It is the business of Endurance Real Estate Group to find a user who will lease the facility. The tax abatements would flow through the users and lower their operating costs within the facility. He was not knowledgeable on how the lower corporate income tax might benefit.

**NACE** Mr. Nace noted that the next steps in the process would be to direct staff to schedule a Public Hearing to discuss and define the property as deteriorated and subsequently vote on whether or not to participate in the LERTA program. They

would further need to go to York County and the school district for a similar tax abatement request.

**DVORYAK** Mr. Dvoryak questioned whether there is an all-or-nothing proposition between the county, school district and Springettsbury.

**HANSEN** Ms. Hansen responded that it is not an all-or-nothing proposition. Each taxing body can choose to participate or not, but it does not impact others' ability to participate.

**DVORYAK** Mr. Dvoryak stated that it would be financially important for the school district.

**HANSEN** Ms. Hansen reported that they had testified before the school district's Finance Committee last week and will be on their working session agenda in a few weeks.

**ERLBAUM** Mr. Erlbaum stated that it is conditional on the township.

**LUCIANI** Mr. Luciani explained that he was correct. The township must designate it as a deteriorated property, but the township does not have to participate in the LERTA adoption.

**RAUSCH** Solicitor Rausch asked whether they would have the option to set their own schedule on the exemption.

**HANSEN** Ms. Hansen responded but offered that the assessment office requested (not a requirement) that the county and municipality be on the same schedule.

**SWOMLEY** Chairman Swomley noted that the board had discussed that before with the tax bills and having them coordinated.

**RAUSCH** Solicitor Rausch questioned what the county would be seeking, i.e., a 10-year process.

**ERLBAUM** Mr. Erlbaum stated that the typical schedule is 10 percent per year phase in. It is his understanding that Springettsbury had approved a LERTA designation for the former West Harley campus. That was a 10-year, 10 percent per year phase in. They would be happy to follow suit. They are not looking for anything more aggressive than that.

D. Authorization to Advertise Public Hearing for LERTA Project at 693 North Hills Road

**MR. NACE MOVED TO AUTHORIZE TO ADVERTISE FOR PUBLIC HEARING FOR 693 NORTH HILLS ROAD TO DETERMINE IF IT IS A DETERIORATED PROPERTY. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HANSEN** Ms. Hansen questioned whether the township would at the same time advertise an ordinance for potential action to participate.

**RAUSCH** Solicitor Rausch responded that he would double check, but he thought that the ordinance could be advertised to adopt the LERTA. Following that, there could

be the Public Hearing and later in the Regular meeting have the ordinance on the Agenda. He was not sure if there is a time gap from the Public Hearing and the Ordinance.

**NACE** Mr. Nace recalled that was what had been done in the past.

**RAUSCH** Solicitor Rausch added that he was assuming that the authorization to advertise the publication includes the Ordinance.

**ERLBAUM** Mr. Erlbaum added that was his understanding as well. He thanked the members of the board.

**7. COMMUNICATION FROM SUPERVISORS**

**PHAN** Ms. Phan thanked the Police Department for fixing the signage and correcting the traffic direction on Market Street at First Post.

**8. COMMITTEE REPORTS**

There were no committee reports.

**9. SOLICITOR'S REPORT**

**RAUSCH** Solicitor Rausch stated he had nothing to add to his written report. He offered to respond to questions.

**NACE** Mr. Nace asked if there had been any progress on the barking dog ordinance.

**RAUSCH** Solicitor Rausch responded that he had been reviewing other ordinances and planned to put together a theme and solicit the staff and Police Department's input.

**PHAN** Ms. Phan reported that the Volunteer Firefighter meeting was cancelled due to weather so she had no report.

**10. MANAGER'S REPORT**

**A. Manager's Report**

**MARCHANT** Mr. Marchant had nothing to add to his written report. However, he wanted to take a moment to celebrate the new playground. A time-lapse video had been taken during construction from May to October 2017, which was shown to the audience. He thanked Abby Gibb and Andy Hinkle for their work in putting the video together.

**PHAN** Ms. Phan asked whether all the pickets had been sold.

**MARCHANT** Mr. Marchant responded that he could get an update for her. He was aware that Mr. Lacey was hoping to have the last six pickets sold in order to do one final order but the time is getting close.

**PHAN** Ms. Phan mentioned that in the spring a re-Grand Opening of the park could be held and advertise the picket fences again. She noted that many people are just finding out about the park and they are coming to visit.

**MARCHANT** Mr. Marchant indicated that the video will be placed on Facebook, and the picket sale could be listed there.

**WURSTER** Mr. Wurster noted it would be a good time to push that again.

**PHAN** Ms. Phan noted that the zip line is her favorite at the park.

**11. ORDINANCES AND RESOLUTIONS**

A. Ordinance No. 2018-01 – Amending Code of Ordinances, Chapter 325 “Zoning” to Add the Use of Adaptive Reuse to Multi-Family Residential in the R-7, Small Lot Single-Family Residential District

**SWOMLEY** Chairman Swomley noted that item A covers Ordinance 2018-01 amending the zoning ordinance based on the Public Hearing that was held earlier this date.

**RAUSCH** Solicitor Rausch noted the Ordinance had been advertised for adoption. He added that it would be by Special Exception so there will be a layer of oversight.

**SWOMLEY** Chairman Swomley noted that Special Exception is handled by the Zoning Hearing Board. Conditional Use goes through the Board of Supervisors.

**MR. NACE MOVED TO ADOPT ORDINANCE NO. 2018-01 AMENDING THE ZONING CODE, CHAPTER 325 OTHERWISE KNOWN AS ADAPTIVE REUSE TO MULTI-FAMILY RESIDENTIAL. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SWOMLEY** Chairman Swomley noted that the Ordinance goes into effect in five days.

**12. OLD BUSINESS**

A. Consideration of Appointment to Zoning Hearing Board

**MR. DVORYAK MOVED TO APPOINT CHRIS SHUTTLESWORTH TO THE ZONING HEARING BOARD. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. NEW BUSINESS**

There was no New Business.

**14. ADJOURNMENT**

**SWOMLEY** Chairman Swomley reminded the board of an Executive Session to be held immediately following adjournment to discuss potential litigation - Davies Drive Project, and continued personnel discussion. He adjourned the meeting at 7:56 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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