

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

July 10, 2018

PUBLIC HEARING – PA. LIQUOR LICENSE #E-718 TRANSFER REQUEST

Chairperson Wingert called the advertised public hearing to order at 6:45 pm. Ms. Wingert announced that the purpose of the hearing was to receive public comment about a May 30, 2018 letter from Attorney Chris Reed, who represents 1747 Beer & Wine, LLC, a wholly owned subsidiary of Rutter's Holding, Inc., in which he advised that his client had entered into an agreement to purchase Pennsylvania Restaurant Liquor License #E-718 from an establishment in the City of York and had requested permission to transfer the license to 2251 North George Street in Manchester Township.

Solicitor Young advised that Pennsylvania Act 141 of 2000 requires that before the Pennsylvania Liquor Control Board can approve an inter-municipal license transfer, the governing body of the receiving municipality, "shall, within forty-five (45) days of a request for approval, render a decision by ordinance or resolution, to approve or disapprove the applicant's request for an inter-municipal transfer of a license." He advised that the governing body of the receiving municipality must also hold at least one (1) advertised public hearing "for the purpose of receiving comments and recommendations of interested individuals residing with the municipality concerning the applicant's intent to transfer a license...".

David Martineau, representing Rutter's Holding, Inc. was present to present the request for the approval of the liquor license transfer from the City of York to Manchester Township.

Attorney Martineau testified that Rutter's Holding, Inc. planned to make changes to the Rutter's Farm Store at 2251 North George Street that could offer to sell alcoholic beverages up to two (2) six-packs and offer restaurant service of only one (1) alcoholic beverage per restaurant customer. Attorney Martineau also stated if a liquor license transfer was approved by the township, Pennsylvania Liquor Control Board approval would still be needed.

Ms. Wingert invited any questions or comments from any township residents who were present at the meeting. No questions, comments or testimony was offered for or against the request.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to close the public hearing at 6:52 pm.

Motion carried. Ayes-5 Nays-0.

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting in the public meeting room of the Manchester Township Municipal

Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Tuesday, July 10, 2018, which was called to order at 7:00 p.m. by Chairperson Wingert.

PARTIES PRESENT

Lisa D. Wingert, Chairperson

Rodney K. Brandstedter, Vice-Chair

David Brosend, Supervisor

Beth Brennan, Supervisor

John W. Inch, Jr., Supervisor

Timothy R. James, Manager/Secretary

Debra K. McCune, Assistant Secretary

Lawrence V. Young, Solicitor

B.J. Treglia, P.E., C.S. Davidson, Inc.

Daniel Hoff, YAUFRR Fire Chief

Stewart Olewiler, III, Zoning/Planning

PUBLIC COMMENT

Chairperson Wingert called the regularly scheduled supervisors meeting to order and invited the public to ask questions or offer comments about any item on the agenda as the board considers each item. She advised that the board would recognize the public at the conclusion of agenda items for any questions or concerns about non-agenda items.

APPROVAL OF MINUTES

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the meeting minutes of the June 12, 2018 meeting as submitted.

Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

Resolution #2018-10 – Liquor License Transfer Approval

As summarized in item #2 of the manager's report, Solicitor Young reported the board of supervisors held a July 10, 2018 (6:45 p.m.) hearing to consider the transfer of Pennsylvania Liquor License #E-718 from ADF PA, LLC, located at 1189 Loucks Road, York City, to 1747 Beer & Wine, LLC, located at 2251 N. George Street, Manchester Township as required by Pennsylvania Act 141 of 2000.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve Resolution #2018-10 allowing the transfer of Pennsylvania Restaurant Liquor License #E-718 from ADF PA, LLC, located at 1189 Loucks Road, to 1747 Beer & Wine, LLC, located at 2251 N. George Street, Manchester Township.

Motion carried. Ayes-5 Nays-0.

DEP Consent Order and Agreement/Interceptor Project

As summarized in item #3 of the manager's report, Mr. James reported that the executed Consent Order and Agreement, approved by the board on January 2, 2018, and \$1,000 fine relative to the April 2014 bypass pumping activities, was received by Pennsylvania Department of Environmental Protection (DEP) on January 22, 2018. Engineer Treglia reported that the municipal authority has authorized the project to be advertised for bid on March 10, 2018, with bid opening occurring on April 6, 2018. Mr. Treglia reported that an update to the Corrective Action Plan to include the contract

schedule has been completed and approved by the board in March. Engineer Treglia updated the board on the projects. The board provided guidance to the staff to continue to utilize existing sewer funds to pay the interceptor costs and provide financial updates to the board as the project continues.

York City Sewer – Intermunicipal Agreement

As summarized in item #4 of the manager's report, Solicitor Young and Mr. James reported that there has been no further action regarding the York City Sewer – Intermunicipal Agreement since the last board of supervisors meeting. Attorney Hovis (representing York and Spring Garden Townships) was present and provided an update to the process.

2019-2023 Trash/Recycling Contract

As summarized in item #5 of the manager's report and as a follow-up to the May 8, 2018 board action to authorize the Solicitor and staff to prepare trash/recycling bid specifications for the 2019-2023 trash/recycling contract, after a lengthy discussion, Mr. Brandstedter made a motion, seconded by Mr. Inch, directed the Solicitor and staff to prepare and advertise trash/recycling specifications to include the use of 96 gallon containers for residential curbside collection.

Motion carried. Ayes-5 Nays-0.

Resolution #2018-11 – Alert Fire Company – 100th Anniversary Recognition

As summarized in item #6 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Inch, to adopt Resolution #2018-11, recognizing the Alert Fire Company's 100th Anniversary.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS

Heritage Business Park Lot 1 – Final Subdivision Plan (#2018-02)

Corey Adams of Herbert, Rowland & Grubic, Inc., was present to present a final subdivision plan for two (2) industrial lots located along the south side of the 100 block of Shady Lane in an Industrial (I) zoning district. Mr. Adams reported the purpose of the plan is to subdivide approximately 16,820 square feet from the existing Lot #1 and join it to Lot #2, bringing Lot #2 to a lot area of 14.002 acres.

Mr. Brandstedter made a motion, seconded by Mr. Brosend, to approve the following waiver:

W1) From Section 22-404 of the SALDO to not display contours on the subdivision plan.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Brosend, to approve the final subdivision plan (#2018-02) for Heritage Business Park Lot 1.

Motion carried. Ayes-5 Nays-0.

165 Shady Lane – Preliminary Land Development Plan (#2018-03)

Corey Adams of Herbert, Rowland & Grubic, Inc., was present to present a preliminary land development plan for a new 148,500 square foot industrial facility on a 14.0021 acre parcel located at 165 Shady Lane in an Industrial (I) zoning district. Mr. Adams reported that the proposed facility construction would be located on Lot #2 that the board previously approved. Mr. Adams also reported that the township's zoning hearing board granted a Special Exception for the reduction of 46 spaces from the number of required parking spaces.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the following waivers:

- W1) A waiver from the Stormwater Management Ordinance, Section 26-133.A for volume control requirements.
- W2) A waiver from the Stormwater Management Ordinance, Section 26-138.C.1.C for requiring the maximum permitted side slopes for detention basins to be 4 horizontal to 1 vertical.
- W3) A waiver from the Stormwater Management Ordinance, Section 26-131.K for requiring stormwater management facilities to comply with building setback requirements.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve preliminary land development plan (#2018-03) for 165 Shady Lane.

Motion carried. Ayes-5 Nays-0.

Industrial Services and Installation, Inc. – Final Land Development Plan (#2018-05)

John Runge of Gordon L. Brown & Associates, Inc. was present to present a final land development plan to construct a 19,000 square foot addition to an existing 48,292 square foot building on a 13.72 acre tract, located along the south side of the 200 block of Emig Road. Mr. Runge reported this plan would reallocate lands for parking and outdoor storage as well.

Mr. Brosend made a motion, seconded by Mr. Inch, to approve the following waiver:

W1) A waiver from 26-131.K for stormwater management structures encroaching within the building setback lines.

Motion carried. Ayes-5 Nays-0.

Mr. Brosend made a motion, seconded by Mr. Inch, to conditionally approve the final land development plan (#2018-05) for Industrial Services and Installation, Inc.

Motion carried. Ayes-4 Nays-0 (Brandstedter abstained).

Cityview Office Park – Lot #3 – Final Minor 2 Lot Subdivision (#2018-06)

Doug Gossick of Willams Site Civil, LLC, was present to present a final minor 2 lot subdivision of lands of the Christian Life Church of York, Inc., creating 2 parcels from a 20.26 acre parcel located along the east side of the 1600 block of Roosevelt Avenue in an Office (O) and Residential Low Density zoning districts. Mr. Gossick stated that the plan is to create a lot with 6.44 acres from the lands of the Christian Life Church's 20.26 acres.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the following waiver:

W1) From Chapter 22, Section 22-709 of the Manchester Township Subdivision and Land Development Ordinance, for the requirement to install concrete sidewalks.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the final minor 2 lot subdivision (#2018-06) for Cityview Office Park – Lot #3.

Motion carried. Ayes-5 Nays-0.

Rezoning Petition Request

As summarized in item #8 of the manager's report, Attorney Steve Hovis, representing Developer Jerry Watson, was present to present a rezoning petition request for future public hearing consideration for 750 Farmbrook Lane to rezone from current Residential-Low Density to Industrial. Attorney Hovis reported that conceptually the area if re-zoned could contain two (2) separate buildings including area for a 400,000 square foot warehouse facility. After a lengthy discussion, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to allow for the planning commissions to review the rezoning request and to schedule a future public hearing for rezoning consideration for 750 Farmbrook Lane from the current Residential Low-Density to Industrial.

Motion carried. Ayes-4 Nays-1 (Brosend opposed).

Sewer Capacity Transfer

As summarized in item #9 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to authorize the board chairperson or vice-chairperson to execute the following acquisition/transfer of reserved sewer capacity:

- a) Transfer of 2,000 gallons per day sewer reserve of Springettsbury Township Sewer Treatment Plant capacity from Betty Keener to CAK Holdings, LLC, for property at 70 Willow Springs Circle.

Motion carried. Ayes-5 Nays-0.

Alarm Ordinance Update

As summarized in item #10 of the manager's report, Mr. James reported that the staff and Solicitor Young have reviewed the updated alarm ordinance for presentation to the supervisors. Chief Hoff reported the intent of the updated ordinance is to standardize the ordinance with YAUFM municipalities for better efficiencies. After a discussion, the board requested the staff prepare fee options associated with the updated draft ordinance for continued future discussion.

RECOGNITION OF PUBLIC PRESENT

In accordance with Act 93 of 1998 (Sunshine Law), Ms. Wingert recognized any members of the audience who wished to address the board.

Dalton Dacheux, with Scout Troop 54, was present to observe the meeting as a requirement for his communication merit badge.

MANAGER'S REPORT –

- Item #11 - Solicitor Young reported on the ongoing discussions relative to the misappropriation of DUI payments from the York County Clerk of Courts.
- Item #12 - Mr. James and Mr. Treglia discussed the latest information relative to the county-wide Inflow and Infiltration (I&I) discussion group and distributed a draft ordinance for future comment and consideration.
- Item #15 - Engineer Treglia reported the Toronita Street Bridge project was completed on June 20, 2018.
- Item #17 - Mr. James reported hosting a PennDOT meeting on June 27, 2018 regarding the final report from the comprehensive study by McMahon Associates, Inc., with the Interstate 83 Exit 24-28 improvements.

OTHER BUSINESS/REPORTS

Mr. James reported the receipt of fire, police and engineer's monthly reports.

Mr. Inch left the meeting at 8:50 p.m.

The board took action to advertise a liquor license transfer public hearing for August 14, 2018 at 6:45 p.m., as requested by Sheetz, Inc., 215 Arsenal Road.

Mr. Brosend expressed concern on the impact of the new state fireworks law.

APPROVAL OF VOUCHERS

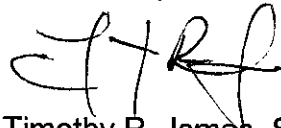
Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: June 13-26; and June 27-July 10, 2018.

Motion carried. Ayes-4 Nays-0.

ADJOURNMENT

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 8:55 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. R. James', written in a cursive style.

Timothy R. James, Secretary

TRJ/jas

