

**HOPEWELL TOWNSHIP  
YORK COUNTY PA  
BOARD OF SUPERVISORS  
MINUTES FOR JULY 7, 2016  
MUNICIPAL BUILDING  
7:00 PM**

Chairman Aaron Manifold called the July 7, 2016 Board of Supervisors meeting to order at 7:00 p.m. Also in attendance were Supervisor David Wisnom, Solicitor Andrew Miller, Secretary Kristy Spevak, and Zoning Officer Keith Hunnings.

Chairman Manifold stated that an executive session was held July 7, 2016 to discuss personnel.

Chairman Manifold asked if anyone in the crowd was recording the meeting. No one was recording the meeting.

**Approval of Minutes**

Chairman Manifold motioned to approve the June 30 2016 Board of Supervisors minutes. Supervisor Wisnom seconded the motion. Motion carried unanimously.

**Treasurer's Report/Invoices**

Supervisor Wisnom motioned to approve the June 30, 2016 Treasurer's Report and Invoices. Supervisor Wisnom seconded the motion. Motion carried.

**Roads Report**

Chairman Manifold reported that the Road Crew completed the topcoat on Hollow Road between Kurtz School Road and 851. They are still continuing the mowing sequence and have also repaired bad sections of the roads. They installed the level and base courses on West Liberty Road. The road will be closed while they do the wearing course.

**Subdivision and Land Development:**

**Omni/TwoTon/Burger King:**

John Luciani presented the Final Land Development Plan for Twoton/Burger King. Also present was Todd Brennan of GPS Hospitality. The proposed bank by Tractor Supply and Phantom Fireworks will be the location of the Burger King. They have outstanding comments to address. Solicitor Miller reviewed the outstanding comments.

1. Satisfaction of all of the outstanding James R. Holley & Associates, Inc. sewer comments. This is almost finished. The check to New Freedom Borough needs to be sent.

2. Name, address, contact information and signatures of owner and property developer on the plan. This is not yet completed. This will be done before it is recorded.
3. Water availability letter from York Water Company. Mr. Luciani has a copy of the letter, which he gave to the Board at the meeting. This has been satisfied.
4. Approval and posting of Financial Surety. There is a letter pending with Martin and Martin that still needs to be approved.
5. Revision of the plans to show an adequate turning radius to the satisfaction of the Township Engineer. Mr. Luciani stated they have a turning exhibit on the plan. The concerns were that the trucks were encroaching on the parking spaces and clipping the curbs, and they can fine tune that. This is still an outstanding condition. Martin and Martin will also need to review and sign off on the revisions.
6. Street trees must be shown on the plans. Mr. Hunnings said the symbols are on the plans, however, he had asked that they provide a legend for the symbols or label them.
7. YCPC recommended a Phase 2 traffic study. Mr. Luciani stated that Johnson Controls has significant traffic impact and Burger King is pretty miniscule. There are a total of 40 parking spaces for Burger King customers. Supervisor Wisnom stated they will still have a good amount of business with 40 spaces and 2 drive thru lines. Chairman Manifold does not feel another traffic study is necessary. Supervisor Wisnom asked if Omni would be interested in financially contributing to the road improvements that are in the process, in lieu of a traffic study. Mr. Luciani cannot say in his position and will have to speak with the owner. Attorney Miller stated the improvement will benefit Burger King by giving them a better street to get to their site. Attorney Miller proposed a proportional contribution based on the improvements to their site. Attorney Miller raised the proposal on the fact that no road improvements were done for the Burger King. The options are for a contribution or a traffic study. Mr. Luciani excused himself to speak with the owner. He stated the owner said he would contribute \$5,000.00 to get out of the traffic study. Attorney Miller stated that the condition will just be \$5000.00 to the traffic improvements to be paid at the time with fees and costs. The logistics will be figured out at a later date.
8. The underground stormwater facilities that were installed do not have inspection reports. Chairman Manifold's concern is not with the structures being there; it is with the maintenance. He would like someone to say it is functioning currently as it was designed. Mr. Luchiani stated they would agree to a post construction certification to the stormwater facilities as a condition. Attorney Miller requested that to be a note on the Plan requiring the post construction certification.
9. The note and signature of the owner to be added to the Land Development Plans acknowledging the stormwater management to be permanent for the leased area and cannot be altered or removed by the Township.

10. Stormwater easements to be shown on the plan need to be shown on the plan.
11. Execution and delivery of the Stormwater Facilities Maintenance and Monitoring Agreement.
12. Execution and delivery of the Financial Surety and Development Agreement.
13. Payment of all costs and fees.

There are two waivers as follows:

1. Waiver of Preliminary Plan; and
2. Waiver of Sidewalk Requirements.

The Planning Commission recommended the note on the plan waiving the sidewalk requirements but giving the Township 6 months to decide if they want them to add sidewalks. Supervisor Wisnom motioned to grant both of the waivers but with the 6 month note regarding the sidewalks. Chairman Manifold seconded the motion. Motion carried.

Attorney Miller stated the plan conditions as follows:

1. Satisfaction of all of the outstanding James R. Holley & Associates, Inc. sewer comments;
2. Name, address, contact information and signatures of owner and property developer on the plan;
3. Engineer's approval and posting of financial surety;
4. Revision of the plans to show adequate turning radius to the satisfaction of the Township Engineer;
5. Street trees must be shown on the plan;
6. The developer will contribute \$5000.00 to the traffic improvements to be due at the time of costs and fees;
7. A note be added to the plans requiring post construction inspection and certification of stormwater facilities as a condition to occupancy;
8. A note and signature by the owner acknowledging stormwater management for the leasable area cannot be altered by the Developer;
9. The stormwater easement shown on the plan will be modified to include the bearing and distances.
10. Execution and delivery of the Stormwater Facilities Maintenance and Monitoring Agreement.
11. Execution and delivery of the Financial Surety and Development Agreement.
12. Payment of all costs and fees.

Zoning Officer Hunnings agreed with the conditions list. Supervisor Wisnom motioned to approve the plan subject to the conditions. Chairman Manifold seconded the motion. Motion carried.

Johnson Controls:

Chairman Manifold stated they will be authorizing the execution of the First Amendment to the Development Agreement. Supervisor Wisnom motioned for the signing of the First Amendment to the Development Agreement. Chairman Manifold seconded. Motion carried.

**Solicitor's Report:**

**Floodplain Regulations**

Attorney Miller followed up on the Floodplain Reimbursement. At this time, the reimbursement has been submitted but there is no time frame yet for the money.

**Johnson Controls**

Attorney Miller stated that last month, the Board approved the Notice to Proceed and Notice of Award of the Contract with a few conditions. The conditions have been met and the Notice to Proceed was issued. Chairman Manifold and Ms. Spevak signed the actual Agreements of the contracts with Stewart and Tate to do the work. The work should be proceeding and Tom Austin stated they will be out there for the preconstruction meeting. Chairman Manifold was told that Stewart and Tate would like this completed by mid October, at the end of the paving season.

**Bridgeview Plan**

Attorney Miller received an inquiry about the status of the Preliminary Plans. There is still a note that they need to add to the Plan based on the letters that went out. The plan must be resubmitted with the note.

**Other Business:**

**David Fuller:**

Mr. Fuller was not present.

**7<sup>th</sup> Annual Helping Hands 5k**

Daniel Wernig requested the use of Althouse School Road for the Helping Hands 5k that benefits the homeless. The race will be August 6, 2016 to start at 9 a.m. and end at 10:00 a.m. They are contacting Ira with Eureka to assist with traffic control. Supervisor Wisnom motioned to authorize the use of Althouse School Road for the Helping Hands 5k and using Eureka Fire Police. Chairman Manifold seconded the motion. Motion carried.

**Charles Sullivan**

A resident, Charles Sullivan of 1826 Orwig Road, requested authorization to have a fireworks display on July 4<sup>th</sup>. He mistakenly missed last month's meeting to have the request submitted. He reached out to the Board and the Solicitor about what can be done. Chairman Manifold motioned to ratify the signing of the permit for Mr. Sullivan's fireworks for July 4<sup>th</sup>, 2016. Supervisor Wisnom seconded the motion. Motion carried.

**Public Comment:**

Chairman Manifold added a name to the temporary road worker list. An extra member was needed at this time and all the people on the list were not available. Chairman Manifold called his father to help. This is a conflict of interest for Chairman Manifold, however, Chairman Manifold can vote as Supervisor Wolf was not present and Chairman Manifold disclosed the conflict. Supervisor Wisnom motioned to add Ray Manifold to the temporary road worker list. Chairman Manifold seconded the motion. Motion carried.

**Adjournment:**

Chairman Manifold adjourned the meeting at 8:00 p.m.

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Kristy Spevak, Secretary



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Courtney Hargrave, Recording Secretary