

The meeting of the Earl Township Board of Supervisors, held on Monday November 2, 2020, was called to order by Chairman Rick Kochel, at 7 p.m. The following were present: Rick Kochel, Ray Martin and Tom Plitt and Road Master Lee Zimmerman and Solicitor William Cassidy.

Tom made a motion to approve the October 5th, 15th and October 29, 2020 meeting minutes, Rick seconded and all voted yes.

Police Report:

Chief Leighty presented the October 2020 police report.

Martindale Fire Co. Report:

Chief Groff presented the October 2020 fire activity report.

Subdivision and Land Development Plans:

Tom Matteson, Diehm & Sons, presenting the Marlandco, LP (Martin's Bike Shop), 1891, 1881 & 1873 Division Highway, Ephrata, Preliminary/Final Land Development Plan and requesting the following:

- a. Waiver request of SALDO Section 308.B – Preliminary Plan requirement. Tom made a motion to grant conditional approval to waive the Preliminary Plan requirement, contingent upon the review comments of the Township's Engineer. Ray seconded the motion and all voted yes.
- b. Waiver request of SALDO Section 602.K.4 – Improvements to existing streets requirement. Ray made a motion to grant conditional approval of the modification to the Improvements to the existing Streets requirement, contingent upon the review comments of the Township's Engineer, and that the Note be added that states that the applicant acknowledges that any future road expansion may impact the improvements of this project. Tom seconded the motion and all voted yes.
- c. Waiver request of SALDO Section 602.M – Curbing requirement. Rick made a motion to grant conditional approval of this modification to the Curbing requirement, contingent upon the review comments of the Township's Engineer. Ray seconded the motion and all voted yes.
- d. Waiver request of SALDO Section 602.N – Sidewalk along existing streets requirement. Tom made a motion to grant conditional approval of this modification to the Sidewalks along existing Streets requirement, contingent upon the review comments of the Township's Engineer. Ray seconded the motion and all voted yes.
- e. Waiver request of SALDO Section 602.Q.5.f – Access Drive Radii requirement. Ray made a motion to grant conditional approval of the modification to the Access Drive Radii requirement, contingent upon the review comments of the Township's Engineer. Tom seconded the motion and all voted yes.
- f. Waiver request of SALDO Appendix 18 – Vertical Curbing requirement. Tom made a motion to grant approval of the modification to the Vertical Curbing requirement, Ray seconded and all voted yes.
- g. Conditional Pre/Final Land Development Plan approval. Ray made a motion to grant conditional approval of the Preliminary/Final Land Development Plan, contingent upon the review comments of the Township's Engineer, Zoning Officer, Road Master and the L.C.P.C. Rick seconded the motion and all voted yes.

Randy Hoover, Team Ag Inc., presented the **Kathryn King, Hollander Property, 525 Holland Road, Final Land Development Plan** and requested the following:

- a. Waiver request of SALDO Section 308.B – Preliminary Plan requirement. Rick made a **motion to waive the Preliminary Plan requirement**, Tom seconded and all voted yes.
- b. Waiver request of SALDO Section 602.K.4 – Street Improvement requirement. Tom made a **motion to conditionally waive the Street Improvement requirement, contingent upon the review comments of the Township’s Engineer and verification that the Road Master approves**. Ray seconded the motion and all voted yes.
- c. Waiver request of SALDO Section 602.N – Sidewalk requirement. Rick made a **motion to conditionally approve to defer the Sidewalk installation, contingent upon the execution of a Sidewalk Deferment Agreement and the review comments of the Township’s Engineer and verification that the Road Master approves**. Ray seconded the motion and all voted yes.
- d. Conditional Land Development Plan approval. Ray made a **motion to grant conditional approval of the Preliminary/Final Land Development Plan, contingent upon the review comments of the Township’s Engineer, Zoning Officer, Road Master and L.C.P.C.** Tom seconded the motion and all voted yes.

Ray made a **motion to fully release the Improvement Guarantee for the Eby’s Garage, 425 White Oak Rd, Final Land Development Plan in the amount of Sixty Thousand Five Hundred Eighty Four Dollars (\$60,584.00), per ELA Group’s recommendation**, Tom seconded the motion and all voted yes.

Tom made a **motion to partially release of Improvement Guarantee for the SOCO Single Family Development, southside of Airport Rd, Final Land Development Plan in the amount of Two Hundred Thirteen Thousand Seven Hundred Seventy Eight Dollars and Thirteen Cents (\$213,778.13), per ELA Group’s recommendation**. Ray seconded the motion and all voted yes. The balance remaining shall be \$612,924.73.

Ray made a **motion to execute the Storm Water Management Agreement and Declaration of Easement for the Joseph E Lapp, LappTops, 182 Orlan Road, Final Land Development Plan**. Rick seconded the motion and all voted yes.

Road Master's Report:

Lee reported that Garden Spot Village will be installing cross walk stripes on South Kinzer Avenue per the approved Land Development Plan and the Township will be held harmless and have no liability.

Solicitor’s Report:

Solicitor Cassidy stated he is concerned that the Township does not have the right to direct Dale High, Sewer Enforcement Officer to enter private properties without just cause of a health and safety concern. After a discussion, **Brenda was directed to send a letter to the properties neighboring the sewer extension being constructed by Tri-S Management, 568 Hollander Road to inform them that Dale High will be stopping or calling to review and discuss their on-site sewer systems.**

Zoning Officer’s Report:

The Supervisors reviewed the Zoning Officer’s October 2020 report.

Sewage Enforcement Officer's Report:

The Supervisors reviewed the Sewage Enforcement Officer's October 2020 report.

The Supervisors acknowledged the L.C.C.D. & ELA Group earthmoving inspection reports as follows:

SOCO Single Family/The Landings, southside of Airport Rd.

Tim Weaver, 265 Martin Rd - Inspection

SOCO Single Family/The Landings, southside of Airport Rd. –

Inspection of Lot 56, 39 & 46.

Tri-S Management. 568 Hollander Rd - Inspections

Receipts received in October were \$202,284.95 in the General Fund and \$53,317.82 in the Waste and Recycling Fund.

Ray made a **motion** to pay the expenses in the General and the Payroll Funds (Checks #3945–3995 and #9041 - 9072) in the amount of \$398,963.02, and the payroll taxes electronically transferred in the amount of \$11,953.79. The Street Light (Check #456) in the amount of \$944.93, and the Waste and Recycling (Checks #338 - 339) in the amount of \$18,533.97. Tom seconded the motion and all voted yes.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Brenda S Becker, Secretary