

The **meeting of the Earl Township Board of Supervisors**, held on **Monday August 3, 2020**, was called to order by Chairman Rick Kochel, at 7 p.m. The following were present: Rick Kochel, Ray Martin and Tom Plitt. Also present were Lee Zimmerman, Road Master and Solicitor William Cassidy.

Tom made a **motion to approve the July 6th and July 16, 2020 meeting minutes**, Ray seconded and all voted yes.

Public Comment:

Bruce Clark, 133 Skyline Drive, reported that there is a speeding issue and disruptive guest at an Airbnb on Hill Road and Greentree Drive. Lee Zimmerman reported that Hill Road is posted at forty miles per hour (40 mph) and a speed study would have been done at one time, to enable the sign posting. Lee stated at the direction of the Supervisors he can conduct a new speed study.

Elizabeth Loguidice, 180 Skyline Drive, reported that on July 29, 2020 in the evening she witnessed a car speeding up and down Greentree Drive and Hill Road and witnessed another pedestrian almost being struck while walking on the side of the roadway. To document the New York licensed vehicle driving recklessly she took a picture on her cellular telephone. Mrs. Loguidice stated the driver of the vehicle then stopped and threatened bodily injury to her.

Mrs. Loguidice stated that the Pennsylvania Supreme Court has ruled that Township's may prohibit the use of Airbnb within Residential Zoning Districts.

Solicitor Cassidy stated that the Local Government may draft an Ordinance that will regulate Short-term Rental Facilities, if they want them at all within the Township. If the use is allowed then items such as parking, if permitted within accessory buildings and if owner occupancy is required, should be reviewed and detailed.

Hal Landis, 125 Greentree Drive, read and provided copies of a letter written by Jonathan and Deb Reimers of 145 Skyline Drive, reporting that guests at the Airbnb are disrespectful, and Police have been summoned to deal with guests. Mr. and Mrs. Reimers are requesting that the Earl Township Board of Supervisors ban the use of Short-term Rental Facilities in Earl Township.

Marge Landis, 125 Greentree Drive, was the Pedestrian almost struck by the vehicle driving recklessly throughout the neighborhood and is requesting the Earl Township Board of Supervisors ban the use of Short-term Rental Facilities in Earl Township.

Karen Smith-Kernc, 144 Hill Road, inquired whether the property owners could be cited for non-compliance issues with their guests. Solicitor Cassidy stated that enforcement would be established within the Ordinance.

Rick Colucci, 154 Hill Road, stated the use needs to be supervised and he is concerned that retaliation may happen. Mr. Colucci stated this has disrupted the neighborhood and the quality of their lives. They are exposed to public urination, littering of trash, vulgar language, M80 discharges, loud music and even drug activity.

Brad Fisher, 108 Greentree Drive, reported that guests at the Airbnb have treated his private property as if it is a public park, by using his swing set, the short term rental use requires supervision.

Michelle Clark, 133 Skyline Drive, is concerned for the safety of the pedestrians, horse and buggies and horse back riders within this neighborhood.

Jenny Zeiset, 144 Birch Lane, reported that she believes with rules and regulations the use of Short-term Rental Facilities can be a positive source of tourism for which Lancaster County is well known.

Police Report:

Chief Leighty presented the July 2020 police report.

Martindale Fire Co. Report:

Chief Groff presented the July 2020 fire activity report.

Subdivision and Land Development Plans:

Rick made a **motion to take no action on this time extension for the Jonathan Martin, 450 Kurtz Rd, Eph, Major Land Disturbance Plan, due to no formal request was received.** Ray seconded the motion and all voted yes.

Ray made a **motion to acknowledge the 120 day time extension to review and approve the proposed Marlandco L.P., 1891, 1881 & 1973 Division Hwy, Ephrata, Lot Add-On and Land Development Plan.** Tom seconded the motion and all voted yes. The Plan will now expire November 23, 2020.

Tom made a **motion to conditionally approve signing the TurfTime Equipment, 156 Kurtz Rd, New Holland, Preliminary/Final Land Development Plan, the Storm Water Management Agreement and Declaration of Easement, the Declaration of Easement, the Sidewalk Installation Deferral Agreement, the Holding Tank Maintenance Agreement. The approval is contingent upon Solicitor Cassidy's review and approval of the Agreements.** Rick seconded the motion and all voted yes.

Tom Nehilla, Barley Snyder Law Firm, Tom Matteson, Diehm & Sons, Sam Stoltzfus, property owner of the **Tri-S Management Plan, 568 Hollander Road, New Holland, Subdivision and Land Development Plan,** were present to request approval and execution the Land Development Agreement, the Maintenance Agreement for Drainage Area, the Storm Water Management Agreement and Declaration of Easement, the Curb and Sidewalk Installation Deferral Agreement and the Sidewalk Maintenance Agreement. Ray made a **motion to approve signing the Land Development Agreement, the Maintenance Agreement for Drainage Area, the Storm Water Management Agreement and Declaration of Easement, the Curb and Sidewalk Installation Deferral Agreement and the Sidewalk Maintenance Agreement,** Tom seconded and all voted yes.

Tom Nehilla reported that the revisions required to the Final Plan have been finished and the Plan is almost ready for Recording. The outstanding items are the review and approval of the final sewer easement and the Financial Securities for the sewer and water extensions, which are being finalized at the bank and should be submitted to the Township shortly. Tom Nehilla is requesting approval for the developer to start earth movement prior to the Plan being recorded. After further discussion, the Supervisors stated the Plan shall be recorded prior to any work being done on the property.

Road Master's Report:

Lee reported that the Snapper Road culvert is installed.

Lee reported that Hill Road and Redwell Road paving has been completed and he will be painting short lines for the Police to conduct speed checks.

Zoning Officer's Report:

The Supervisors reviewed the Zoning Officer's July 2020 report.

Sewage Enforcement Officer's Report:

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

Solicitor's Report:

Solicitor Cassidy reported he is working on drafting the Ordinance to regulate Short-term Rental Facilities in the Township, which will incorporate noise, drinking, property maintenance and parking requirements.

The Supervisors acknowledged the 2nd quarter 2020 recycling rebate in the amount of Two Thousand Seven Hundred Twenty Six Dollars and Fifteen Cents (\$2,726.15) from the Lancaster County Solid Waste Management Authority.

The Supervisors acknowledged the L.C.P.C. review reports as follows:
Upper Leacock Township – Proposed Zoning amendment.

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

- Fieldcrest Properties, 260 Jalyn Drive – Inspection.
- Log Cabin Court Mobile Home Park – 3709 Division Highway – Inspection.
- Hinkletown Mennonite School – Plan review
- Mark Weaver, 171 Tower Road – Inspection.
- SOCO Single Family/The Landings, southside of Airport Road – Inspection.
- Samuel Blank, 603 South Custer Avenue – Inspection.
- Matthew Zimmerman, 240 Gristmill Road – Inspection.
- Log Cabin Court Mobile Home Park – 3709 Division Highway –
NPDES Notice of Termination
- Tim Weaver, 265 Martin Road – Inspection.
- Earl Township Sewer Authority, 250 Horning Road – NPDES Notice of Termination
- Hinkletown Mennonite School – NPDES Notice of Termination
- SOCO Single Family/The Landings, southside of Airport Road – Lot 33 & 31 inspections.

Receipts received in July were \$58,600.63 in the General Fund, \$268.20 in the Street Light Fund and \$52,405.82 in the Waste and Recycling Fund.

Ray made a **motion** to pay the expenses in the General and the Payroll Funds (Checks #3798– 3844 and #8965 - 8996) in the amount of \$252,026.96, and the payroll taxes electronically transferred in the amount of \$12,113.55. The Street Light (Checks #453) in the amount of \$926.26, the Waste and Recycling (Checks #331 - 333) in the amount of \$19,109.19, and the Liquid Fuels (Checks #460 – 461) in the amount of \$65,282.51. Tom seconded the motion and all voted yes.

Meeting adjourned at 8:50 p.m.

Respectfully submitted,
Brenda S Becker, Secretary