

DEVELOPMENT ACTIVITIES COMMITTEE REPORT – JUNE 14, 2021

Members: Zimmerman, Chairman; Reinhold, Vice Chairman; Harris, Staff

Attendees: Zimmerman, Chairman; Reinhold, Vice Chairman; Barr, Member; Harris, Staff; Rowe; Martin; Mowen; Thompson, Staff; 3 Visitors (Troop, Reichard, Beres)

The Development Activities Committee met on May 24, 2021, and discussed the following:

Action Items:

1. The Committee reviewed a request from the Ephrata Area School District to waive building permit fees for three projects that are going to begin construction this summer. The total construction costs of all three projects is \$37,500,00.00. The building permit fees would be \$450,264.00. Kristee Reichard, Business Manager for the School District, explained that the middle school and high school projects are primarily HVAC replacements. At the high school, they are adding a 2-story addition. The District is willing to pay the inspection and plan review fees and an administrative fee. They suggested \$2,500 for the administrative fee. They are willing to pay their fair share. They do not want to go the legal route and be adversarial. That is not their intent. Thompson explained that the District's attorney provided case law that allows municipalities to collect out-of-pocket costs and any administrative fees. All other fees must be justified. After discussion about the fees, it was decided that Staff will determine what administrative fees are associated with all three permits. If the District agrees with the administrative costs, the district will pay that amount, the inspection fees of \$190,493.00 and the plan review fees of \$2,500.00. The District would like to begin the work as soon as school ends. They have asked for the waiver request to be voted on at the Work Session. The Committee will recommend that Borough Council grant the building permit fee waiver request at the June Borough Council Work Session subject to the condition that the Ephrata Area School District agrees to pay administrative fees, inspection fees and plan review fees.
2. The Committee reviewed a final drawdown request for stormwater improvements for a new 2-unit constructed at 52 East Fulton Street. The stormwater work has been completed and inspected. The applicant is requesting release of their remaining funds. The Committee will recommend that Borough Council release \$2,006.57 at the June Council meeting. This will appear on the Consent Agenda.
3. The Committee reviewed a proposal to replace the Security and Surveillance Video Equipment at Borough Hall. The current system is original to the building that was constructed in 2002 and is antiquated. The proposal includes upgrading all the equipment to current industry standards and providing addition security camera coverage. The project came in under the budgeted amount of \$70,000. The Committee will recommend that Borough Council award the Security and Surveillance Video Equipment Replacement COSTARS contract to Triangle Communications, Inc. for \$63,501.78 at the June Borough Council meeting.

4. The Committee reviewed a revised cost estimate for the Brian McCarty Subdivision and Land Development Agreement. The agreement and amount were approved last month, but it was determined the amount was incorrect. The revised amount is \$28,753.45. The agreement has already been reviewed and approved by the Solicitor. The new value will be added to the agreement. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute the Subdivision and Land Development Agreement with the developer, Brian and Audrey McCarty, with the revised amount of \$28,753.45 at the June Borough Council meeting.
5. The Committee reviewed a request to defer subdivision and land development plan review to Ephrata Township. The David and Florence Harnish plan is a lot add-on plan located almost completely in Ephrata Township. A small corner is in the Borough. There are no changes planned for the Borough section. The Committee will recommend that Borough Council approve the deferral request at the June Borough Council meeting.

Discussion Items:

1. The Staff provided an update for 1 East Main Street easement request. Prior to the trail being built, the Borough secured two easements. One is an exclusive easement from the former owners of 21 East Main Street (Robert Gehret). The other is on the mill property and was originally executed with Robert Wenger and Ephrata National Bank now owns. The second agreement is not an exclusive agreement, but does require Borough approval for anyone else to use the easement. The Staff will reach out to the owners to discuss our concerns regarding parking conflicts due to future uses.
2. At a previous meeting, Councilperson Martin commented that Lancaster City eliminated their parking requirements. The Staff provided Lancaster City's parking requirements and Ephrata Borough's parking requirements. Lancaster City removed parking from their CB and CB1 district, but have parking requirements for their other districts. Ephrata Borough has also eliminated their parking in the Central Business District for commercial uses. New residential uses need to provide one parking space per apartment. Councilperson Martin noted that it appears Lancaster City's parking requirements are not as restrictive as the Borough's. This will be removed from the agenda.
3. The Committee reviewed the decision from the May Zoning Hearing Board. Larry and Nevin Horst were granted two special exceptions for expansion of a nonconforming use and changing a nonconforming use at 131 Cherry Street.
4. There are no new applications for the June Zoning Hearing Board Meeting.

5. Mayor Mowen voiced his concerns regarding the appearance of the pavers downtown. There are weeds growing in them and they look terrible. It's not the appearance we want for downtown. He said that an employee has a pesticide license, but the Borough isn't utilizing them. The Mayor said he was told it was a union issue, but the employee in question showed him an email from the union that said it wasn't a union issue. Harris explained that a Public Works employee began the licensing process to be able spray pesticide. As part of the licensing process to oversee the pesticide program, the state requires that an employee practice for one year before they can completely administer the program. The employee can do weed spraying, but since it is not a job requirement, they can refuse to do it. Harris explained that it was too important and it had to get done right away. A contractor was hired and did the weed spraying last week. The dead weeds will be cleaned up. Public Works will be pursuing having multiple employees licensed.

Old Business Items:

1. None

Miscellaneous Items:

1. None

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