

DEVELOPMENT ACTIVITIES COMMITTEE REPORT – APRIL 12, 2021

Members: Zimmerman, Chairman; Reinhold, Vice Chairman; Barr, Member; Weiler, Alternate; Harris, Staff

Attendees: Zimmerman, Chairman; Reinhold, Vice Chairman; Weiler, Alternate; Harris, Staff; Martin; Rowe; Thompson; McManus; 3 Visitors; 1 Virtual Visitor

The Development Activities Committee met on March 22, 2021, and discussed the following:

Action Items:

1. The Committee reviewed a request to waive land development requirements for John Bright. In 2006, the site was developed for mini storage and all improvements were made except one storage building was not constructed. The owner would like to construct the remaining building, but the time to complete the land development has expired. Staff has reviewed the proposed building and it would comply with the zoning ordinance. The site was reviewed for compliance with the original plan. One tree is missing and some minor repairs need to be made to the basin, but otherwise the plan is complete. The Committee will recommend that Borough Council approve the waiver request at the April meeting subject to conditions that a missing tree be planted and the basin repaired before a building permit is issued.
2. The Committee reviewed a land development plan for the Brian McCarty. This plan was originally approved and recorded in 2011, but the owner never built the proposed building and the plan has expired. Since that time a new zoning ordinance and a new stormwater ordinance have been enacted. The plan and stormwater management plan have been updated and reviewed. The Committee will recommend that Borough Council approve one waiver/modification and approve the plan as a final land development plan subject to the inclusion of staff comments dated March 5, 2021 and HRG comments dated March 8, 2021. This item will appear on the April Consent Agenda.
3. At last month's meeting the Committee reviewed a request for an access easement over the trail to serve parking spaces for 1 East Main Street. It was tabled after a draft of the easement was received and there were concerns over provisions in the draft. Solicitor McManus presented a history of the trail easements in this area and how they relate to the proposed easement agreement. The solicitor commented that the draft easement emphasizes the rights of the owner, but does not reflect a fair arrangement for the Borough. The easement needs more work and he suggests that the Borough Manager meet with the owners to develop a plan that contains reasonable assurances that they won't interfere with trail usage and the owners get access to their parking. It needs to be a mutually acceptable agreement. The Committee will table this until next month.
4. Kelly Withum, Executive Director of Mainspring of Ephrata, presented a request to serve alcohol at the Party on the Plaza events in the months of June, August and October. They will need to restrict parking along the driveway and half of the railroad lot closest to North State Street. The Committee will recommend that Borough Council approve the request at the April meeting to use the plaza, restrict parking and to sell beer and wine subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management and receipt of a copy of the PLCB special occasion permit.

5. Kelly Withum, Executive Director of Mainspring of Ephrata, presented a request to serve alcohol at three Wednesday at the Whistle Stop events in May, June, and July. They will need to restrict parking along the driveway. The Committee will recommend that Borough Council approve the request at the April meeting to use the plaza, restrict parking and to sell beer and wine subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management and receipt of a copy of the PLCB special occasion permit.
6. The Committee reviewed a proposal to replace seven HVAC units at Borough Hall. The current units are original to the building that was constructed in 2002. The typical life of an HVAC unit is 15 years. Three units have already been replaced. The proposal includes the purchase and installation of the units through a COSTARS contract with Frey Lutz Corporation. COSTARS is a Pennsylvania cooperative purchasing agency that allows registered entities to use contracts that have already gone through the bidding process. The contract is overbudget by \$10,000, but when combined with the control system proposal, the net result will be less than the total budgeted amount. The two projects go together. The Committee will recommend that Borough Council award the HVAC replacement contract to Frey Lutz Corporation for \$120,000.
7. The Committee reviewed a proposal to replace the HVAC Control System at Borough Hall. The current system is original to the building that was constructed in 2002 and is antiquated. The proposal includes replacing the controls through a COSTARS contract with Dynatech Controls, Inc. The contract is underbudget by \$31,215. The total budgeted amount for both projects is \$235,000 and the total of both contracts is \$213,785. The Committee will recommend that Borough Council award the HVAC replacement contract to Dynatech Controls, Inc. for \$93,785.00

Discussion Items:

1. The staff presented information regarding the Borough Building Maintenance Capital Project. The rain garden at the Fulton Maintenance garage will not be completed this year and the planned reroofing project at the Eicher Indian Museum will be partially funding with CDBG grant funds. The police department has not been repainted during the 19 years it has been occupied. The police have a proposal to repaint the second floor for \$15,163.00. Ten thousand dollars will be paid out of the Borough Building Maintenance Capital Project and the balance will be paid out of the police budget.
2. The Borough Manager discussed occupancy limits for borough leased properties. With COVID-19 restrictions in place, it's important for Borough owned properties comply with the reduced occupancy limits in accordance with state restrictions and CDC recommendations.
3. There was one Zoning Decision from the March Zoning Hearing Board Meeting. Cloister Associates was denied a lot area and impervious area variances.
4. There is one new application for the April Zoning Hearing Board Meeting. The committee is recommending that Borough Council authorize the solicitor to attend the hearing to ensure that the objective standards of the Zoning Ordinance are met and variance criteria are complied with.

Old Business Items:

1. None

Miscellaneous Items:

1. None