

## **BOROUGH OF QUARRYVILLE – COUNCIL MINUTES**

### **REGULAR MEETING – MARCH 6, 2023**

Borough Council held its Regular Meeting on the above date at 7:00 PM at the Municipal Building. Council President Joy Kemper called the meeting to order with the following persons present: Council Members Jim Kreider, Cheryl Bowman, Brian Braightmeyer, Diane Hastings, Gerald Hassel and Susan Noel. Mayor Anthony Cavallaro, Chief Rick Beighley and Borough Manager Scott Peiffer were also in attendance.

**PUBLIC COMMENT:** Jewel Shivery, representing the Quarryville Library, thanked Council for their financial support and gave an update on recent library activities.

Megan Senkowski, representing Trout CPA, introduced Korin Martin of Trout CPA to give a review of the 2022 audit that was conducted in January, 2023. Korin reviewed all the Borough accounts with the audit report.

**APPROVAL OF MINUTES – FEBRUARY 6, 2023 REGULAR MEETING:** It was moved by Councilman Braightmeyer and seconded by Councilwoman Bowman that the minutes of the February 6, 2023 Regular Meeting be approved. The motion passed unanimously.

#### **MANAGER'S REPORT:**

**Smith Drive Preliminary Subdivision & Land Development Plan - Conditional Approval:** After discussion Council Made the following motions regarding approval of the Fritz Avenue subdivision and Land Development Plan:

##### **1. Section 355-609.A(1) – Clear Sight Triangle**

This section of the Ordinance requires clear sight triangles shall be provided at all street intersections and all such triangles shall be established from a distance of one-hundred feet from the point of intersection of the center lines.

It is proposed waiver the 100-foot clear sight triangle for the southwest corner of existing West Fritz Avenue and proposed Ridgewood Road intersection, on property owned by Daniel W. & Katherine B. Kilby (Lancaster County Parcel Number 530-69686-0-0000).

The justification is based upon the following:

- The Kilby property contains an existing 75-foot clear sight triangle easement at the proposed Ridgewood Road intersection location.
- West Fritz Avenue is not a through street at the proposed intersection location at the western end of West Fritz Avenue.
- The existing 75-foot clear sight triangle will provide a view of the two (2) existing driveways west off West Fritz Avenue at the proposed Ridgewood Road intersection (see enclosed

exhibit). The existing 75-foot clear sight triangle should pose no hazard to public safety.

- This waiver request represents the minimum modification possible to the ordinance, will serve the purposes of those sections of the ordinance, and will protect the public safety.
- The proposed improvements are presented on the Preliminary Subdivision and Land Development Plan.

It is ELA's recommendation that this waiver be approved. Councilwoman Noel made a motion to accept waiver #1 Section 355-609.A(1). Councilwoman Hastings seconded. The motion was approved with Councilman Brightmeyer and Councilwoman Bowman abstaining.

## **2. Section 355-503.I.(2)- Requirement of a Traffic Impact Study**

This section requires a traffic impact study be provided as shown on Appendix III.

The justification is based upon the following:

- Applicant proposes a \$9,500 fee-in-lieu of the Traffic Impact Study provided by the Applicant as a contribution to the cost of off-site improvements to South Smith Drive.
- This waiver request represents the minimum modification possible to the ordinance, will serve the purposes of the ordinance, and will protect the public safety.

It is ELA's recommendation that this waiver be approved conditional on the proposed fee-in-lieu of being determined acceptable to the Borough and being paid as part of Final Plan approvals. Councilwoman Hastings made a motion to approve waiver #2 Section 355-530.I.(2) conditional on the proposed fee-in-lieu of being determined acceptable to the Borough and being paid as part of Final Plan approvals. Councilwoman Bowman seconded. The motion was approved with Councilman Brightmeyer abstaining.

## **3. New Request: Section 355-406-Preliminary Plan**

This section requires a Preliminary Plan submission and approval prior to a Final Plan Submission. This request was withdrawn by the developer.

A motion to approve the Smith Drive Preliminary Subdivision and Land Development Plan with conditions stated in the ELA letter dated 2/17/23 and the letter dated 2/20/23 from the Borough Solicitor was made by Councilwoman Hastings and seconded by Councilman Kreider. The motion passed with Councilman Brightmeyer abstaining.

A motion to accept the extension request letter dated 3/6/23 for the Smith Drive Preliminary Subdivision and Land Development Plan was made by Councilwoman Hastings and seconded by Councilwoman Bowman. The motion passed unanimously. This will extend the approval deadline date to May 9, 2023.

**Fritz Avenue Preliminary/Final Subdivision and Land Development Plan Conditional Approval:** After discussion, Council made the following motions:

**1. Section 355-406 – Submission of Preliminary Plan**

This section of the Ordinance requires the preliminary plan shall conform to the most recent administrative regulations adopted by the Borough Council for such purposes. It is proposed to forego a separate Preliminary Plan submittal and instead submit the plan as a combined Preliminary/Final Plan. The justification is based upon the following:

- This plan proposes subdivision of 13 single family lots on 4.6 acres.
- Based on the minimal scope of the project, and that the plan will be filed as a single phase, a separate Preliminary Plan is unnecessary.
- The proposed alternative will provide all of the applicable preliminary and final plan application requirements as stated in sections 355-502, 355-503, 355-504, and 355-505 of the ordinance on one plan.
- This will avoid the Township's review of what would essentially be the same plan submitted twice if both Preliminary and Final application were filed individually.
- All information necessary for the offer of dedication of Fritz Avenue has also been identified.
- Considering the minor scope of the project, the proposed alternative addresses both the Preliminary and Final requirements, as intended by the ordinance.

Our engineer, ELA, recommends approval of this waiver. Councilwoman Hastings made a motion to accept waiver #1. Councilwoman Bowman seconded. The motion was unanimously approved.

**2. Section 355-609.A – Clear Sight Triangle**

This section of the Ordinance requires clear sight triangles shall be provide at all street intersections...such triangles shall be established from a distance of...one hundred feet from the point of intersection of the center lines. It is proposed to utilize a 75-foot clear sight triangle on the lands of Mr. Robert W., Jr. and Sandra L. Ross of 506 Smith Drive which has been established at the existing intersection as part of prior plans of record. The justification is based upon the following:

- The proposed intersection has been planned to serve single family residential lots prior to the development of the subdivision plan which is the subject of this application.
- The Final Plan of West Ridge Section No. 1, last revised October 11, 1961 and recorded on February 23, 1962 as Subdivision Plan Book 16, Volume 12, established a 75 ft. clear sight triangle on then Lot 2, and the current lands of Mr. Robert W., Jr. and Sandra L. Ross of 506 Smith Drive. The Final Plan of Lot 12 in West Ridge Section No. 1, dated June 18, 1968, and recorded on July 24, 1968 as Subdivision Plan Book J-37, Page 13, established a 100 ft. clear sign triangle on then Lot 12, and the current lands of James C. & Ruthann J. Anderson of 600 Smith Drive, which meets the Borough's requirement.
- The proposed intersection will be stopped controlled within a mature residential neighborhood with limited residential lots accessing the intersection. Thru traffic will be minimal at this intersection, particularly to the south due to the no outlet configuration of South Smith Drive. To avoid additional restrictions on the lands of Mr. Robert W., Jr. and Sandra L. Ross at 506 Smith Drive, the Applicant is requesting that the 75 ft. clear sight triangles established by the prior plan of record be utilized.
- The intersection is proposed to be stop controlled with a mature residential area, thus a greater clear sight triangle is unwarranted. The existing clear sight triangles referenced from the prior plans of record for this same intersection ensures that the public's safety is maintained as intended by the ordinance.

It is recommended by ELA that the waiver be approved conditional on the following:

- Provide a note on the Plans that indicates all vision-obstructing vegetation/landscaping shall be removed from the clear site triangle 506 Smith Drive as required by the Borough.

Councilwoman Hastings made a motion to approve waiver #2 with condition listed above. Councilwoman Noel seconded. The motion was unanimously approved.

### **3. Section 350-33.A – Sidewalk Construction**

This section of the Ordinance requires no grass strip shall be permitted unless all the sidewalks on the same side of the block has a grass strip, and the width of the grass strip must be identical for the entire block.

It is proposed to install a grass strip only along the frontage of the proposed residential lots. The justification is based upon the following:

- For the proposed residential lots, the grass strip will allow for the construction of a driveway apron and transition grade, providing for a more uniform sidewalk elevation in relation to the top of curb. For existing adjoining residential lots, the Applicant is proposing to construct the sidewalks against the back edge of the curb to minimize disturbance and impacts to the existing lots.
- The approach to constructing the sidewalk against the back of curb meets Section 350-33 of the Borough's Ordinance.
- The request to vary the location of the sidewalk and forgo the construction of the grass strip along the frontage of the existing residential lots minimizes impacts to adjoining property owners, present no safety concerns, and meets the intent of the Borough's Ordinance.

It is recommended by ELA that the waiver be approved. Councilwoman Hastings made a motion to approve waiver #3. Councilwoman Bowman seconded. The motion was unanimously approved.

#### **4. Section 343-302.A – Volume Controls – Design Storm Method**

This section of the Ordinance requires Design Storm Method modeling based on site conditions to ensure that an Applicant does not increase the post-development total runoff volume for all storms equal to or less than the two-year, twenty-four-hour storm event. It is proposed to construct two (2) stormwater management facilities in accordance with the Pennsylvania Department of Environmental Protection's (PADEP) Managed Release Concept (MRC), in lieu of infiltrating stormwater.

The justification is based upon the following:

- The PCSM design, specifically volume control, is dictated by the underlying geologic conditions. The project's geotechnical engineer, ECS Mid-Atlantic, LLC performed a subsurface exploration and geotechnical engineering analysis to evaluate the existing conditions on-site. Although groundwater was not encountered, infiltration was determined to be negligible (0.00in/hr) within the in-situ soils. In accordance with the recommendations of the project's Licensed Professional Geologist, BMPs designed in accordance with PADEP's Managed Release Concept have been planned to manage the net increase in runoff volume.
- MRC is a post-construction stormwater management (PCSM) strategy that comprises the collection, management, and filtration of captured runoff from the contributing drainage area through a BMP. The BMP should be vegetated and sized to release a portion of the captured runoff through

an underdrain. MRC is intended to be used for projects where infiltration is considered infeasible to meet regulatory requirements under §102.8(g)(2).

- Figure 1, as provided by the PADEP, illustrates the components of a typical MRC BMP. (See illustration in the ELA letter dated January 13, 2023)
- MRC is based on 1.2 inches of rainfall as this is equivalent 1.0 inches of runoff from impervious surfaces using the NRCS curve number method. The 2-hour distribution is a common practice used to develop a short duration rainfall pattern for analysis. The design concept requires that runoff is temporarily impounded for use by vegetation, filtered through a soil media, infiltrated through undisturbed soils (where feasible), and released through an underdrain at a pre-determined rate; flow out of the MRC during the 1.2-inch/2-hour storm event must be limited to the managed release (i.e., flow through the underdrain only).
- The design of the proposed stormwater management facilities is reasonable and appropriate for the project, and compatible with the site conditions encountered during soils testing. The loading ratio recommendations are only “rule-of-thumb” guidelines for initial planning and review purposes. Such guidelines are not based on any scientific calculations. The Managed Release Concept analyzes multiple factors, such as release rates, storage volumes, dewatering times, and the offsetting of equivalent impervious areas (i.e., preconstruction vs. post construction condition). The evaluation of loading ratios is unnecessary as the approach to utilize site-specific geologic testing in accordance with the recommendations of the project’s geotechnical engineer ensures that the BMPs will function in accordance with the design, as intended by the ordinance and PADEP’s MRC strategy alike.

It is recommended by ELA that the waiver be approved with the following noted:

- This approval is based upon ELA’s understanding that the PADEP NPDES for post construction stormwater has been reviewed and approved by PADEP.
- It must be understood by the developer and the future adjacent properties owners to the basin that this approach relies on evapotranspiration to dewater the Basins. The basins will have the potential to be fully saturated at times.
- It shall be ensured by the designer that the proposed bmp vegetation for the Basins has been designed for the proposed saturated conditions of the basins. It must be understood by the developer and the future adjacent properties owners to the basin that the side slopes and bottom of the basin are specified to be established in bmp no-mow wetland/meadow vegetation.
- The requested Waiver on Sheet 1 shall be updated to reference the requested Volume Control.

Councilwoman Hastings made a motion to approve waiver #4 with the recommended notes from ELA. Councilwoman Bowman seconded. The motion was unanimously approved.

#### **5. Section 343-307.C(1)- Minimum Pipe Slope (Revised Request)**

This section of the Ordinance requires conveyance facilities shall comply with the design criteria of a 1.0% minimum slope. It is proposed to utilize a minimum pipe slope of less than 1.0% between inlets I-C8 to I-C5, I-B3 to I-B2, and M-D1 to FES-D.

The justification is based upon the following:

- To provide for stormwater management on the site, and off-site bypass line is proposed to divert upland drainage. A series of inlets are planned along the northern property line. To avoid excessive excavation near the adjoining properties, the pipe run is proposed at 0.50%.
- A similar condition occurs at FES-D. To provide for extended flow paths in response to PADEP review comments, a pipe slope of less than 1.0% is proposed between I-B3 and I-B2.
- The conveyance lines are intended to remain private.

It is recommended by ELA, that the waiver be approved.

Councilwoman Hastings made a motion to approve waiver #5. Councilwoman Bowman seconded. The motion was unanimously approved.

Councilwoman Hastings made a motion to approve the Fritz Avenue Preliminary/Final Subdivision and Land Development Plan with the conditions listed on the ELA review letter dated 3/1/23- striking comment C.3, the last sentence, beginning with "It is recommended" and ending with "by the Borough.", the Borough Solicitor letter dated 1/14/23. Councilwoman Bowman seconded. The motion was unanimously approved.

#### **Department of Conservation and Natural Resources (DCNR) Resolution**

**2023-03:** This Resolution is required by DCNR in order to make an application for C2P2 grant funds. The Borough is applying for funding for the rail trail connector project. A motion to adopt Resolution 2023-03 was made by Councilwoman Noel and seconded by Councilwoman Hastings. The motion passed unanimously.

**Resolution 2023-04:** This Resolution is also required in order to apply for C2P2 funding from DCNR. A motion to adopt Resolution 2023-04 was made by Councilwoman Bowman and seconded by Councilwoman Hastings. The motion passed unanimously.

**PSAB Annual Conference Attendance:** A motion to allow the Borough Manager to attend up to 2 days of the Annual Pennsylvania State Association of Boroughs (PSAB) held on June 4-7, 2023 at a cost of \$125.00 per day was made by Councilwoman Noel and seconded by Councilman Braightmeyer. The motion passed unanimously. A motion to allow any Council members to attend the PSAB Conference up to 2 days at a cost of \$125.00 per day to be paid by the Borough was made by Councilwoman Noel and seconded by Councilwoman Bowman. The motion passed unanimously.

**PennDOT Traffic Signal Maintenance Agreement (TSMA) Resolution:** A motion to adopt Resolution 2023-05 , which allows the Borough Manager to sign the TSMA was made by Councilwoman Bowman and seconded by Councilman Kreider. The motion passed unanimously.

**Solanco School District School Resource Officer (SRO) Agreement:** A motion to adopt the Solanco School District SRO Agreement dated 2/27/22 was made by Councilwoman Bowman and seconded by Councilwoman Noel. The motion passed unanimously.

**Huffnagle Park Security Cameras:** A motion to install a security camera system in Huffnagle Park from Malstrom Alarm Co. at a cost of \$5,927.00 from the Capital Reserve Fund was made by Councilwoman Bowman and seconded by Councilman Braightmeyer. The motion passed unanimously.

**Resolution 2023-06- Fee Resolution:** A motion to adopt Resolution 2023-06 establishing fees for various permits was made by Councilwoman Noel and seconded by Councilwoman Hastings. The motion passed unanimously.

**Fire Police Requests:** A motion to grant the use of Quarryville Fire Police to assist in traffic control during spring trout stockings to be held on March 17 & April 21, 2023 was made by Councilwoman Hastings and seconded by Councilman Braightmeyer. The motion passed unanimously.

**Sewage Enforcement Officer (SEO) Appointment:** After receiving information regarding the resignation of Marvin Stoner as our SEO effective March 1, 2023, a motion to appoint Mark Deimler as the Borough's SEO was made by Councilwoman Hastings and seconded by Councilman Braightmeyer. The motion passed unanimously.

**FINANCIAL REPORTS AND MONTHLY BILLS – February 28, 2023:** Council received the financial report and the bills for February 2023. It was moved by Councilwoman Bowman and seconded by Councilwoman Hastings that the financial report be received and the monthly bills for February in the amount of \$113,701.20 be ratified. The motion was approved.

**POLICE DEPARTMENT REPORT:** Council received the Police Department Report of Calls for Service for February, 2023. Chief Beighley reported on increased training for the officers during the month of February.

**ZONING OFFICER REPORT:** Council accepted the February report as submitted.

**QUARRYVILLE BOROUGH AUTHORITY:** The February 21, 2023 Regular Meeting minutes were reviewed by Council. Councilman Braightmeyer added that the Larkspur well development project has ceased after reviewing test results from last summer/fall.

**PLANNING COMMISSION:** The February 21, 2023 Planning Commission meeting minutes were reviewed by Council.

**STREETS/INFRASTRUCTURE/PARKS COMMITTEE:** The February 6, 2023 meeting minutes were reviewed by Council.

**MAYORS REPORT:** The Mayor issued the Proclamation for National Night Out to be held on August 1, 2023.

**OLD BUSINESS:** None

**NEW BUSINESS:** President Kemper alerted Council that Trout CPA will no longer be the Borough's auditor as they are downsizing their work load. The Manager will begin to search for other auditing firms.

The Manger reported that he had appeared before the Lancaster County Metropolitan Planning Organization in February seeking support for application for PennDOT Connects funds for a study on traffic circulation in the Borough. The MPO was supportive.

**PUBLIC COMMENT:** None

**ADJOURNMENT:** At 8:41 PM, Council President Kemper called for a motion to adjourn. It was moved by Councilman Braightmeyer and seconded by Councilwoman Hastings that the meeting be adjourned. The motion to adjourn was unanimously approved.

Respectfully submitted,

Scott Peiffer  
Borough Manager