

Joel Buckley
Chairman
533-3858

Jay M. Brandt
Vice Chairman
Road Master
367-3667

John D. Rochat
Supervisor
533-3831

**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

April 14, 2010

The Conewago Township Board of Supervisors held their regular meeting on Wednesday, April 14, 2010. Those present were:

John Rochat	Joel Buckley	Jay Brandt
Shirley Meyers	Dolores Kuntz	Jon Yost
Max Shradley	Rosalie Sarfert	Peter Czuday
Barb Miller, Patriot-News	Steve Todd, The Sun	Ed Kaylor
Don Espenshade	Betty Espenshade	Greg Hill
John Hitz	Dennis Hain	Aaron Marines
Steve Beamsderfer	James Stoudt, Jr.	Travis Zeiset
Tracey Zeiset	Wilmer Martin	Toby Breon
Michael Rudy	Ernie Miller	Kevin Miller
Richard McGrath	Shirley Weaver	Zantha Weaver
Lee Leibler	Earle Olson	Galen Hitz
Erma Miller		

The meeting was called to order by Chairman Buckley at 7:32 PM.

EXECUTIVE SESSION DISCLOSURE – Nothing to Report.

MINUTES OF MARCH 10, 2010 – A motion by Brandt second by Buckley to approve the minutes of March 10, 2010, as submitted with correction on page 5, under Park & Recreation Revision to delete **and also feels this needs to go back to the Planning Commission.** Motion carried.

TREASURER’S REPORT, MARCH 31, 2010 - A motion by Rochat second by Brandt to approve the Treasurer’s Report dated March 31, 2010 subject to audit. Motion carried.

EXPENDITURE REPORT, APRIL 14, 2010 – A motion by Brandt second by Rochat to approve the Expenditure Report dated March 11, 2010 to April 14, 2010 in the amount of \$37,635.61. Motion carried.

PLANNING COMMISSION MINUTES, MARCH 29, 2010 –For Review Only

PUBLIC COMMENTS – Buckley stated we will discuss the Property Maintenance Ordinance later when the BOS will be considering the ordinance, and we will discuss any comments the public has then.

Greg Hill – Mr. Hill has concerns for safety on Rt. 743, the commercial area, employees as well as resident property owners. There are a lot of accidents along Rt. 743, and he knows the township is working to make it safer. Is there anything we can do to put a blinking light sign or speed limit, since it is a state road can PENNDOT do anything? It is inevitable that there will be other accidents.

Buckley stated I don't know if you're aware but the Conewago Elementary School Expansion submitted a traffic study which the BOS are still reviewing. The installation of a traffic light at Schoolhouse and Rt. 743 will have turning lanes. When we get to the point of consideration for the recommendation the BOS will expand the whole issue of Rt. 743, the commercial area, traffic control which will be within the next several months.

Mr. Hill stated there are a lot of questions of what is happening at Adventure Sports. There are a lot of vines etc., and we could not get to their tank to replace the pump. We cleared the underbrush, vines, seeded, a mulch area berm where drainage goes through in the back of the property. He is working with soil conservation and it now an open recreation area, with picnic tables, etc. The use is for multiple purposes like laser tag or any other outdoor activities. No buildings are planned, but any new buildings would go through an approval process. It is not a paint ball facility; he doesn't know where that came from. They are improving the landscaping and putting in 2 pedestrians crossing. If there are any questions, let Mr. Hill know.

Jim Stoudt and Steve Beamsderfer – They own a hobby shop in Mt. Joy for 20 years, and are looking at the property beside Warburton's Landscaping (Owned by Galen Shelly). Mr. Stoudt is inquiring about putting in a Car Track Park and has experience in that field. They feel this would be a great family oriented entertainment. Buckley stated they would have to go the Planning Commission with a sketch plan or land development plan with information how you want to use that property for their review and recommendation. Their next meeting is 4-26-10, and plans need to be in two weeks before the meeting. The Planning Commission will review your plan and made recommendations to the BOS.

Secretary's REPORT – SCHEDULED EVENTS – Just a reminder of township meetings:- Parks & Recreation, 4-20-10; Planning Commission Meeting, 4-26-10; Sewer Authority Meeting, 5-4-10; Zoning Hearing Board 5-6-10; BOS Meeting 5-12-10, COG Meeting 4-13-10, Brandt will attend; EIT Meeting, 4-14-10, Brandt will attend; PSATS Convention 4-18 to 4-21-10, Twp. Offices Will Be Closed.

REPORTS OF OFFICIAL AND COMMITTEES

SUBDIVISION/ENGINEERING FEE REPORTS - All bills up-to-date

Buckley asked if the Board wants to waive the application fee for Subdivision Plan for the LDS, Hershey Trust, the Township for the Park Land Swap. He also stated do we want to charge an application fee for the elementary school and their land development plan. The fee for land development plan is \$400.00 plus \$100.00 per acre.

A motion by Brandt second by Rochat to waive the Application Fee for the Subdivision for Lower Dauphin School District, Hershey Trust, the Township for the Park Land Swap Subdivision. Motion carried.

A motion by Buckley second by Rochat to collect the normal Land Development Plan fee for the Conewago Elementary School Land Development. Motion carried.

OLDS MANAGEMENT REPORT - The secretary sent 166 notices around 3-15-10, to those who were due to pump in 2009 and didn't, and those who are due to pump in 2010. This is to notify those in 2009 if they received this letter we need a pumping report to bring them up-to-date. This gives them a year (2010) to pump. Reminder notices will be sent in October-November.

PLANNING COMMISSION MEETING – MARCH 29, 2010 – For Review Only

MUNICIPAL AUTHORITY MEETING – APRIL 6, 2010- Cancelled

PARK & RECREATION MEETING – MARCH 16, 2010, Cancelled – Buckley stated there are two issues that need to be discussed. The Park and Recreation Board need to replace the camp director for the summer recreation program. The former camp director is no longer interested in this position. Dan Tredinnick, Chairman is still looking for a replacement for the Camp Director for the summer recreation program. but isn't sure if a replacement isn't found that they can do the summer recreation program this year. Buckley stated last year we put porta-potties on the Danny Fisher Field for several months. Since the Danny Fisher Field has been updated it is being used frequently. Walter's Septic System automatically came to put the porta-potties on the field. The township called to place them on the field and called when they wanted them removed, the fee was paid out of the general account.

A motion by Rochat second by Buckley to purchase the rental of porta-potties for the Danny Fisher Field not to exceed \$200.00. Motion carried

Brandt stated the Road Crew need to know if they should install the grill purchased last year for Danny Fisher Field on a concrete pad. The Board needs to check with Dan Tredinnick, Chairman to see where he would like it to be installed.

Township Auditors – The state auditors completed the liquid fuel audit for 2008-2009 with no problems.

ROAD MASTER’S REPORT

Authorize P/T Employees –This is Tabled Until May Meeting to provide a list of road crew employees

Accident Charges – Buckley stated there was an accident on the corner of Roundtop Road and Dogwood Drive, 911 called for the township to provide our road crew to help remove a tree that was knocked down. They took out a utility pole and signs were knocked down . The State Police, Troop H promised to send a report as soon as it was approved, but we never received it.

Annual Road Inspections - Road Master Brandt and Buckley did a Road Inspection for the Road Crew to clean up from the winter season. Rochat asked if there is a time limit on Hills of Waterford Road Improvements, and if we could use it to repair the water that goes across the field into to Messick’s farm. The secretary will check on the motion made at that time. Kuntz stated she had a complaint along Chestnut Road during the snowstorm the backhoe did some damage, this needs to be added to the road inspections.

SUPERVISOR’S REPORTS/COMMENTS

EIT SHORTFALL –Buckley gave an update on LATCB Earned Income Tax. The following is what we received in 2009 and an estimate for 2010:

	Budget	Received	Shortfall
2009	\$490,000.	\$405,000.	\$ 85,000.
2010	\$485,000. (Should)	\$364,000.	\$120,000.

This represents 50% of our budget and decreased revenue in interest. We will loose \$80,000. from Park & Recreation land acquisition and spend another \$80,000. for Park & Recreation. The Sewer Authority probably won’t be able to pay the \$100,000. borrowed from the township, so we will have to write that off. Solicitor Yost asked if they gave an explanation, they don’t know until the following year until people file their tax returns.

CABLE WIRELESS AND ADAPTERS – Buckley is asking the Board for authorization to buy a cable wireless router and a digital camera.

A motion by Brandt second by Rochat to authorize Buckley to purchase a cable wireless router and a digital camera not to exceed \$200.00. Motion carried.

WARBURTON SIGN – Impairment of Driver Visibility –Buckley said he received two complaints that the new sign on Warburton’s business is causing impairment of driver visibility. Rochat stated he called Zoning Officer Parmer and the sign permit was approved Rochat was coming thru that area one night around midnight, and just around the curve coming up to Schoolhouse road its like a blinding sun. The light is too bright and solid blue illuminations blinds you at those crossroads. He just wants to make sure this doesn’t cause any accidents.

SUPERVISOR'S REPORTS/COMMENTS, Continued

INSURANCE QUOTES – Nothing to Report Until Next Meeting

QUICKBOOKS PRO FOR 2010 – The township does an annual update to use payroll on the Quickbooks Program. (We have 2007 Quickbooks Pro) Quickbooks Pro 2010 is new and must be updated by this year to be able to continue to use Quickbooks Payroll. This must be done no later than 5-31-10 or we will no longer have the use of Quickbooks Payroll.

A motion by Buckley second by Rochat to update to 2010 Quickbooks Pro, pick Enhanced for payroll purposes, not to exceed \$500.00 as well as to update the township and the authority. Motion carried.

SPECIAL BUSINESS

RESOLUTION DESIGNATION OF AGENT –As a Formality to Apply for Emergency Snow Aid – Buckley state this revision is required by FEMA to apply for reimbursement for snow emergency aid. A motion by Rochat second by Brandt to authorize Chairman Buckley to sign and adopt Resolution 2010-3 for reimbursement of emergency snow aid. Motion carried.

Property Maintenance Ordinance (PC recommends one month delay for consideration) – Buckley stated the Property Maintenance Ordinance Draft was first drafted 4 or 5 years ago after lengthy consideration because depilated house was falling down, had rodents in the house , and complaints by neighbors. The Solicitor said if the township wants to do anything about this issue we need a maintenance ordinance. The ordinance was drafted considered with a lot of negative feedback and rejected.

Buckley said recently in response to the burnt out house on Dogwood Drive in Laurel Woods on 8-31-09, he has continued complaints from neighbor, which prompted him to ask the Solicitor what could be done. He recommended adopting the Property Maintenance Ordinance. Buckley said it is not about one building. Last week the township had at least 4 complaints from citizens, and these issues would have been covered by such an ordinance. A letter from the Department of Environment about a complaint of a property in our township under Act 97 and Act 101. It stated it is the responsibility of the township to police these matters and advised us and suggested we should have a public nuisance ordinance. Solicitor Yost stated the ordinance was properly advertised under the second class township codes. The township has 60 days to consider adopting the ordinance as revised or reject it. Buckley asked if the Supervisors have any comments before we open the ordinance up to the public. Rochat stated from the enforcement standpoint we need something, we could eliminate the weed issue, some people have issues with abandoned vehicles, but I draw your attention to dilapidated structures collapsing which create dangerous issues. He said since he is a Supervisor the township received lots of complaints in the last 8 to 10 years. Buckley stated the Zoning Officer Don Parmer would likely be the Code Enforcement Officer, if this ordinance is adopted. The Planning Commissions asked for another month to review this ordinance.

SPECIAL BUSINESS, Continued

Property Maintenance Ordinance (PC recommends one month delay for consideration, Continued – Open to Public Comments on Issue of Property Maintenance Code –

Wilmer Martin-Weeds - He stated his is not a problem for homeowners, but it is a problems for farmer's with 100 acres to control weeds. Buckley stated he asked the Solicitor if we could separate Ag from the ordinance and he said we can't. Mr. Martin's **other issues is vehicles**, if you have antiques vehicles in your garage with the doors shut according to this ordinance that's not exempt. Rochat asked him if he has a issue and some ordinances he enforces has an exemption that you can have as many vehicles as long as they are within a enclosed structure.. **Equipment Outside** – he wanted to know if that means he has to work on farm vehicles inside a building. There should be an exemption on farm equipment. **Rubbish and Garbage Pails** – He looked up the definition of rubbish which includes waste or rejected matter, trash, etc. He has concerns with the disposal of garbage and refuse should be in an approved garbage disposal facility or approved garbage containers.

Michael Rudy – In newer developments in Conewago Twp. he can understand if you have neighbors adjoining your property where you have a vested interest in keeping your property clean. You need to make a distinction between residential and agriculture. There were people with farms long before people moved from a city, and now you have people making it a city. If you want to impose city legislation you need to get into city government. Farmers were here longer than developments were so you should differentiate agriculture district.

Solicitor Yost stated you can not treat similar properties in different zones in a different fashion. This township has single family homes in an Ag. District, you can't treat them different than single homes in another district. This doesn't mean you can't have an exemption within a certain district for certain types of uses. Buckley asked if we can have certain exemption for farm related structures. The Solicitor said he hasn't heard anything that can't be worked out. We are here to listen to issues of concern, and so far they are logical objections to language used in the ordinance.

Toby Breon – Rubbish & Rodents – He lives in Laurel Woods and heats his home with wood. He has ashes from his woodstove, spreads those ashes in the garden, flower beds, and he also stockpile yard trimmings According to this ordinance he is not allowed to do that. His development has a covenant restriction on their deed, and he would hire an attorney to enforce the issues with the burnt out home. He is disappointed that home was catalyst to bring this ordinance back. Buckley stated this is not just about Laurel Woods he get calls from Deodate Rd., Bachmanville Road, etc. The township has a legal responsibility to provide for health and safety of all residents. His concern is that this was a rural area that's what attracted him to this township. He doesn't want restrictions on his property and having the zoning officer or a township official driving by his home looking at downspouts and gutters etc. This was discussed and put down in 2005, yes there was an unfortunate situation in our neighborhood, but this is unfair to impose this kind of ordinance because of one property.

SPECIAL BUSINESS, Continued

Property Maintenance Ordinance (PC recommends one month delay for consideration, Continued) – Open to Public Comments on Issue of Property Maintenance Code –

Toby Breon, Continued - How are you going to get rid of rodents?

Buckley stated this is not about Laurel Woods, one property or rodents. He gets several call a week, It's about neighbors complaining about extreme rundown conditions of dilapidated homes that should be condemned, animals and creatures running within the house or buildings.

Mr. Leibler - He feels if you use common sense doing what the zoning officers says is not the intent to tell anyone what they can or cannot do on their property. He lives down the street from burnt house; there is no mechanics to do anything. or how long it takes to fix something. He read through the ordinance there are no generality, or nothing specific.

There are other townships that have codes and his view is it should be strictly residential, not industrial or commercial. You can do addendums and add it to residential and deal with the other issues separately, but for some reason that can't be done.

Ernie Miller – Mr. Miller stated Mr. Martin had a very good point about agriculture being exempted from this ordinance, however, what about those of us surrounded by acreage that's not Ag. we're residential. So we have the same restrictions as residents. If this is the same ordinance submitted in 2005 why was it shot down, and why didn't you make it simpler. Buckley stated this is part of the process of getting public comments and objections from residents. Brandt stated it was shot down because the majority didn't want it. The Solicitor stated there were changes made in the original draft, and even after the changes a lot of people still didn't want it, so now we'll starting over on that basic point and will have more changes and it still could be voted down.

Shirley Weaver - Mrs. Weaver said she lives here since 1935 and she doesn't like the idea this ordinance is being shoved down her throat.

Donald Espenshade – He stated he did not hear about the advertised 2005 ordinance nor did he hear about this revised ordinance. It was advertised in The Sun . Did this come from down from higher authority. Solicitor Yost stated this is a form of government and I don't know if your aware this is part of the UCC Codes are under the International Building Code Council. You can no longer build a house you must follow the UCC Codes which the government tells you what to do. He agrees the township has an obligation to the residents, but is this ordinance effective 5 days after passing? Does this mean the zoning officer can give you a notice that soon? Buckley stated his experience is the number of times this township has going to a district justice for violation or ordinances, possibly 10 times in the last 10 years. Mr. Espenshade has concerns it is very broads and gives too much power to those in charge to enforce it.

Buckley said the BOS are reasonable residents and he has confidence in the Supervisors and the Zoning Officer. That they will use their best judgements on any decisions made. Buckley stated it is the Supervisors job to make the final determination and **SPECIAL**

BUSINESS, Continued

Property Maintenance Ordinance (PC recommends one month delay for consideration, Continued – Open to Public Comments on Issue of Property Maintenance Code, Continued - changes in this ordinance to be workable. Espenshade asked what is a reasonable time of determination for compliance. Solicitor Yost said it depends on the nature of the violation and if it is a huge violation to be resolved you look for good faith effort to resolve it as soon as possible. Roachat stated Don Parmer, Zoning Officer always comes to the BOS with any Zoning issues or complaints for their opinion before he replies to any issue. Solicitor Yost stated rather than rebate all questions lets get back to the objections, modify it, and if there are still objections we will look at it again if we need to.

Tracey Zeiset – Her concern is if this ordinance is enforced, her and her husband are in their 20's, when we are in our 40's or 50's this Board will probably not be here. The last several years the speculation on everything is getting tighter and tighter If you should get bad neighbors, they won't be able to comply with all the acreage they own, the way the ordinance is written. This originally came up because of a burnt out house, why does this township need to know what kind of trash can, or what kind vehicle, if the issue is delapidated building. Why can't there be an ordinance if a house burnt that it must be cleaned up in 6 months to a year limit.

Buckley brought this issue to the Board and he raised several alternatives to what could be used for burnt out buildings. The Solicitor advised him against the alternatives, but advised him to see what the feelings of the municipality are, even if we have to do it completely over once we have a discussion on the issues.

Toby Breon – He said he would be proud if the township came up with an ordinance that has only what we need written by Conewago Township and wasn't legal. He said why can't this be put on a referendum. The Solicitor said you can't do a referendum in PA. In Dauphin County you can only do it if you're borrowing money.

Unknown Resident – This person stated he is upset that Mr. Buckley has the power to bring this back again. Buckley stated you're saying most everybody is against this ordinance, and I'm saying most people he talked with have asked him to pursue this; he did not do it on his own.

Leibler – When a fire department is finished with the fire, why couldn't the fire Marshall post that the building is condemned and a nuisance?

Donald Espenshade – His concern if the zoning officer serves somebody with a notice of violation, why can't he discuss the problem before serving a resident. The zoning officer already does that before he notifies a resident of wrong doings.

Brandt said when issues come up we deal with them on an individual basis and most residents will do something about it. The Solicitor said the first reminder is a friendly one and second reminder is an official notice and is part of legal process.

SPECIAL BUSINESS, Continued

Property Maintenance Ordinance (PC recommends one month delay for consideration, Continued Buckley stated this will end the public comment period and closed it at 8:50 PM. and asked the Supervisors if they have any comments they would like to make before we consider a motion.

Brandt said we need to let the Planning Commission review this at their meeting and come back with their opinions before we make a decision on this ordinance.

Rochat said he appreciates the community coming in and hearing their comments, and we heard all your comments. We are Conewago Twp. not a city and he agrees with some of things said tonight like the weeds, trash cans, vehicles, etc He agrees this is American and we need to look at how to handle residential different from what can be done on a farm. Where do rights stop if it is your neighbor? Buckley and Rochat live on Dogwood Drive and in his defense it is not one house, we have had lots of problems over the years regarding the property along Rt 743, etc. I can't speak for future boards, but as long as I am here my plan is to comply, talk and work with residents. We are not looking to cite people; you have right to a beautiful home, we needs to find something workable. He also agrees with Brandt that we need to incorporate comments as well as let the Planning Commission finish with their review and come back with their recommendations.

The Solicitor said we heard a lot of comments, if there are any questions not raise, please notify him by email, letter or fax so we can address all of the issues.

A motion by Rochat second by Brandt to table the Property Maintenance Ordinance until the next meeting. Motion carried.

Ordinance Adoption – Revision of Park & Recreation Ordinance – Buckley stated this is a revision of the fee-in-lieu of the section of Subdivision and Land Development Ordinances. The Solicitor stated this is a minor modification and some development are in a rural area and it is not practical to put a recreation facility in those areas, because there are not enough people available to use it. He changed the language indicated if determined by Supervisors that it is practical to provide a recreation facility in neighborhood areas where the fees were collected, it may be used for acquisition of land for public parks.

A motion by Buckley second by Brandt to adopt 2010-2, Revision of Park & Recreation Ordinance fee-in-lieu of section of SALDO. Motion carried.

OLD BUSINESS

PARK LAND ACQUISITION TRUST LAND PURCHASE AGREEMENT \$50,000. Payment - Buckley stated the down payment was made and an agreement executed as previously authorized. Solicitor Yost informed us that DCNR requested an updated appraisal from Dailer & Weinstein on the actual 17 acres without ROW's. Solicitor Yost is asking the BOS for permission to pay this appraisal, if Hershey Trust expects the Township to pay for the update.

OLD BUSINESS

PARK LAND ACQUISITION TRUST LAND PURCHASE AGREEMENT \$50,000. Payment, Continued - A motion by Roachat second by Brandt to authorize Solicitor Yost permission to accept payment for the updated appraisal if Hershey Trust asked. Motion carried.

FLOODPLAIN MAP/ORDINANCE UPDATE – Engineer Shradley -. Shradley said he contacted the county conservation district and received a copy of their standard ordinance recommendation. He will get a memo to the BOS with revisions and discussion.

BOULEVARD OLD BUSINESS, Continued - REPORT ON SALDO PROVISIONS ON EMERGENCY OR BOULEVARD ENTRANCE – Engineer Shradley,
– This issues is with the Planning Commission, they have discussed it but have not made any decisions. This will be discussed at their April meeting.

NEW BUSINESS

Employee Handbook Review – Buckley said he has a memo that clarify the issues with Holiday and Overtime ALT work schedule. He talked with the Road Crew and they understand what needs to be done.

Bridge Reports, Koser, Prospect, Mill – Mt. Joy Request for Meeting – Buckley stated we received reports on Koser Road Bridge and Prospect Road Bridge from Mt. Joy Twp, They would like to meet either in a joint meeting or with one of the supervisors from each township. There are maintenance issues on Koser Bridge, Prospect Bridge and Aberdeen Mill Bridge, these 3 local bridges that are shared by 2 townships. Buckley forwarded a copy of Mill Rd. Bridge to Mt. Joy Twp. Engineer Shradley noted that there is a lead paint issue that can't be left go.

A motion by Roachat second by Brandt to authorize the Road Master to meet with Mt. Joy Twp. representative regarding the three bridges. Motion carried

MS-4 UNITED STATES ENVIRONMENT PROTECTION AGENCY, REGION III- The Township received a letter on 4-7-10 that stated that numerous jurisdictions in south central Pa have violated their PA National Pollutant Discharge Elimination System Storm water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Permit The U,S. EPA encourages the respondent to review its entire MS4 program for compliance with the Permit and immediately correct any deficiencies.

Engineer Shradley he has a letter of waiver from DEP for the MS4 permit. They never issued a permit to the township, so we are not in violation. Shradley also said they extended the waiver and it doesn't expire until March 2011.

A motion by Buckley second by Brandt to authorize the engineer and the solicitor to correct the MS4 violation, since we have waiver of MS4 permit, and report back to BOS at the next meeting. Motion carried.

Road Master – Buckley asked the BOS if they saw the letter from Keith Landis’ house located at 98 Woodbine Drive concerning damage from the snowstorm removal to the rolled curbs. A motion by Buckley second by Rochat to let the Road Master handle this issue. Motion carried.

PLANNING/ZONING REVIEW

HERSHEY TRUST AND LOWER DAUPHIN SCHOOL DISTRICT PARK LAND SUBDIVISION – At the Planning Commission Meeting 3-29-10, the Planning Module request for planning waiver and Non-building declaration needs to be signed. They authorized Dolores Kuntz, Secretary to sign the DEP Waiver Form on behalf of the Planning Commission.

They also recommend granting the following 7 waivers.

WAIVERS:

- Section 403.1 – Preliminary Plan
- Section 407.1.A.(17) – Erosion and Sedimentation Control Plan,
- Section 407.1.A.(20).(i) – Final Stormwater Management Plan
- Section 606- Curbs
- Section 607 – Sidewalks
- Section 613 – Road Improvements
- Section 510.5 – Fee-in-lieu of dedication

A motion by Buckley second by Rochat to grant the above seven waivers. Motion carried.

A motion by Rochat second by Brandt to approve the Minor Subdivision for the Hershey Trust and Lower Dauphin School District subject to the engineer’s approval, seals and signatures and deed approval. Motion carried.

CONEWAGO ELEMENTARY SCHOOL EXPANSION – Land Development Plan, 22-009-003, 22-009-023, Request Waiver/Conditional Approval of Traffic Study, Entire Plan forwarded to BOS by PC in February, returned to PC to address outstanding comments – LD Plan Submitted 1-25-10, (90 Days 4-24-10, Extension Until, (7-24-10

- This plan was approved and forwarded to the BOS at the request of the School in order to meet bidding deadlines. The BOS returned it to the Planning Commission to address the Township Engineer’s comments. Zoning items discussed were: ball fields fence, lighting on the off street parking lot, additional number of parking spaces was increased to 159 spaces, storm water management needs to be addressed. The traffic study/HOP will be addressed separately. The Planning Commission tabled the plan in order for the developer to address the Township Engineer’s comments dated 3-29-10 and Dauphin County Planning Commission comments dated 1-25-10. Solicitor Yost stated there was a problem with the waiver of the traffic study. No action taken by the Supervisors.

PLANNING ZONING REVIEW, Continued

CONEWAGO ELEMENTARY SCHOOL EXPANSION – Land Development Plan, 22-009-003, 22-009-023, Request Waiver/Conditional Approval of Traffic Study, Entire Plan forwarded to BOS by PC in February, returned to PC to address outstanding comments – LD Plan Submitted 1-25-10, (90 Days 4-24-10, Extension Until, (7-24-10

Buckley stated at the Planning Commission when they knock down the existing elementary school that moves the position of the front yard and under the zoning ordinance you can't have a fence 3 ft. tall in a front yard setback. They will appear before the Zoning Hearing Board for a variance for the fence on 5-6-10.

RICHARD & CINDY MCGRATH EQUESTRIAN FACILITY, Corner of Mapledale & Valley Road, Zoned Ag., 22-014-055 – Proposed Zoning Ordinance Revision, PC recommended rejection

- Mr. McGrath bought this parcel of approximately 13.6 acres with a deed restriction on it to be used as a farm. Mr. McGrath is planning to use this property as a training facility for horses, riding academy, and equestrian facility. These - items do not comply with our Ag zoning district. He is requesting we change the definition of FARM in Section 201 of the Zoning Ordinance to include Equestrian Training Facility. At the Planning Commission Meeting 3-29-10 they are hesitant to recommend approval because it would be spot approval for one individual or spot zoning, therefore they recommend NOT to approve.

Buckley said the BOS have heard these issues for several months and the BOS are familiar with it. McGrath's engineer or solicitors stated in listening the property maintenance ordinance this township's zoning district allow raising animals which is a permitted use in an Ag district. Engineer Shradley stated from a zoning perspective he is allowed to raise horses on this property, he is not allowed to give lessons, board horses, a training facility for horses which he indicated that is what he wants to do because of the deed restriction. Zimmerman could not get his subdivision approved if he wouldn't have added the restriction to the deed because the plan didn't meet all the requirement.

Buckley stated the BOS have thoroughly discussed this issue and it is time to take action. A motion by Rochat second by Brandt to not advertise their proposed ordinance, and to reject the proposed ordinance revision. Motion carried. Buckley-NO

PLAN STATUS UPDATE

CREEKSIDE MEADOWS – FINAL SUBDIVISION PLAN, PHASE 1, Zoned Residential Country, 1779 Deodate Road, Elizabethtown (Formerly Michel Costik Farm) Parcel 22-015-001 – Sewer Planning Module, submitted 12-16-09, rejected by DEP, Final Plan Phase 1 Subdivision received 12-14-09, PC Tabled, Extension until 5-14-10 –. Need another extension

JOHN & FRANCES HERTZLER FINAL SUBDIVISION, Lot Add-On, and Land Development, 676 Hertzler Rd., Elizabethtown, PA, Parcel 22-018-007, Zoned. Ag. (Ext. Until 6-10-10. Waiting For Waiver of Fee-in-Lieu for Park and Recreation. – Conditional approval was given 2-17-10.

LISA & BILL CAPP, 727 BELLAIRE ROAD, PARCEL NO. 22-014-025, RE: Horse Barn & Riding Arena – Code Inspector Services Inc. – Information Only – Supposed to be Working on Land Development Plan

PLAN STATUS UPDATE, Continued

OAK RIDGE MANOR PRELIMINARY SUBDIVISION PLAN, Zoned Residential Country, Ridge Rd. – 5.90 Acres – Tax Parcel’s 22-006-095, 96, 97, 98, 99,100, 101, 102, 103 – Owner’s Glenn K. & Evelyn J. Farver – (Hor-Shaa, Inc., Equitable Owners) Owners: Jay C. & Carol L. Weaver, Tax Parcel 22-006-002 – Conditional approval was given 2-17-10.

A motion by Rochat second by Brandt to adjourn the meeting at 10:39 PM. The next meeting is May 12, 2010..

Respectfully submitted,

Shirley A. Meyers
Township Secretary

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