

NORTH CODORUS TOWNSHIP
August 1, 2023

BOARD OF SUPERVISORS

Chairman Dennis Ilyes called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Jackson LeVault. Present on behalf of the Township: Manager Melissa Altland, Zoning Officer Jeffrey Martz, and Solicitor Charles Rausch. Also present: Recording Secretary and a roomful of citizens.

I. **Announcements**

None at this time.

II. **Agenda**

No amendments to the posted agenda.

III. **Minutes**

Motion by LeVault, second by Luckenbaugh, to approve the minutes of the meeting of July 11, 2023. All members voted aye; motion carried.

IV. **Treasurer's Report**

A. **Motion** by Luckenbaugh, second by LeVault, to approve the Treasurer's Report for July 2023 as presented. All members voted aye; motion carried.

V. **General Public Comment**

Chris Diehl, 1475 Fire Hall Road, asked about the agenda item under the Solicitor's Report, the Zoning Text Amendment. Attorney Rausch and Mrs. Altland explained that this is part of the legal process to permit the Board of Supervisors to forward the proposal to YCPC for its review and comments. Mr. Diehl asked, "what is the proposal?" That won't be public record until the hearing in this case. The question was asked, what's the applicant (Mr. Predix) proposing? Will the public get to speak tonight to give input and opinions? No, not until the public hearing. The applicant is requesting an amendment to the Village Center zone (an overlay). Attorney Rausch explained the concept of an overlay and handed the proposal to Mr. Diehl to read.

Jordan Shaw, 2046 Henry Lane, asked for clarification on the whole process. She doesn't want the proposal to even go before the YCPC. Well, that's what has to happen. YCPC can comment on the proposal. Ms. Shaw and others mentioned that the ZHB has already "shot this down" and that they don't see why the Board of Supervisors can't just refuse to pass this proposal to the YCPC. It was explained that the recent ZHB decision was different from this proposal. That case before the ZHB involved requests for Variances. This is a proposed text amendment to the ordinance. It would apply to blighted buildings in the Village Zone. Mr. Diehl disputed that this is related to blighted buildings.

After YCPC reviews, comments, and returns the proposal, North Codorus Township's Planning Commission will review, comment and forward to the Board of Supervisors to decide whether or not to proceed with a public hearing.

There was quite a bit of contention between the Board/Attorney Rausch/Mr. Diehl/other members of the public with much talking-over each other and raised voices. Jordan Shaw, 2046

Henry Lane made an accusation about a Board member being related to Mr. Predix in some way, which was explained and found not to be a true fact.

Tim Thoman, Stoverstown Baseball, resident of Heidelberg Twp., disputed the assertion that “there’s a lot of support for” Mr. Predix’s proposal. Mr. Thoman feels that the Board shouldn’t waste the time sending this proposal to the YCPC since there isn’t enough support to warrant it.

Mr. Ilyes said that “the ZHB case was decided three weeks before the hearing was even held,” to which Travis Jones, ZHB member, took issue. Mr. Ilyes withdrew the comment. Steven Smith, also a ZHB member, also had comments. Bottom line, Mr. Ilyes feels that Mr. Smith should not have voted on that case, which is an entirely different discussion.

Lisa Dennis, 2909 Cedar Hill Road, asked how this differs from the former Sonnewald proposal. Mrs. Altland explained that Sonnewald failed to raise the funds to complete that proposal. Mrs. Dennis urged caution.

Todd Zeigler, 2052 Cemetery Road, asked if the amendment proposed is formal and curative. It’s a proposed text amendment and at the July meeting, information was given on the general overlay process. If the Board isn’t interested in this amendment (if it’s not curative), it needn’t go to YCPC. True. If the Board’s open to the whole idea, yes, send it to the YCPC. Also, the Comp Plan refers to and defines the characteristics pertaining to the Village Center, and Mr. Zeigler urged the Board to check that.

Katelynn Reed, 1893 Martin Road, asked if anyone’s checked if the school district can support an additional 26 families. Good question, but unfortunately, that’s not up to the Board of Supervisors, but the school district. That cannot be a deciding factor in a land use application.

This overlay focuses on blighted properties. Those other aspects (age, number of children, etc.) aren’t applicable to the process yet. None of the other recent developments in the Township ‘got permission’ from the school district to build the developments.

The comment was made about the Township will be making money off this development/application. Of course, the only money that the Township will “make” is the tax revenue, just like in any other development.

Justin Smay, 4461 Cherry Lane, asked the Board NOT to pass it on to YCPC.

Fred Mula, 4194 Walters Hatchery Road, said it’s a good idea. This overlay proposal deals with blighted properties. Right now, this text amendment only applies to the Village Zone. Does it make sense at all? Should it be Township-wide? These are questions that will be discussed by the YCPC. Attorney Rausch explained the term “adaptive re-use,” which gets blighted properties back on the tax rolls. Mr. Mula noted that granting this proposal will allow blighted properties to be cleaned up and better used, and it’s not taking farmland to do so.

Sherry Valente, 2528 Meetinghouse Road, asked what the decision to pass to YCPC is based on. Attorney Rausch answered that the applicant has the right to move forward with the presentation and proceed legally and the Township has to permit this process.

Todd Zeigler spoke again, noting that YCPC is a recommending body only, so the Board of Supervisors could agree with its recommendations OR it could disregard its recommendations. True.

VI. **Fire Company Report**

Marvin Stine gave the fire company report for July 23, 2023.

VII. **Permits, Plans, and Modules**

Nothing at this time.

VIII. **Administrative Reports**

A. Supervisors' Reports

1. Mr. Luckenbaugh gave the police report for July 2023. The police 6-yr. contract passed. Average 3% increase per year. One local officer hired.
2. Public Works – WWTP – the John Deere mower is repaired. Paving starts next week.

B. Manager's Report

1. **Motion** by Luckenbaugh, second by LeVault, to accept, with regret, the resignation of Sam Napier effective August 2, 2023. All members voted aye; motion carried.
2. **Motion** by LeVault, second by Luckenbaugh, to ratify the contract with Swope Wastewater Management, *as amended*. All members voted aye; motion carried. It was noted that this will save the Township about \$70K per year in salary and benefits, etc.
3. Regarding Walters Hatchery Road – double yellow lines to be painted on this road and No Passing signs to be placed. **Motion** by LeVault, second by Luckenbaugh, to authorize MPL to prepare an ordinance to add No passing signs and lines on Walters Hatchery Road. All members voted aye; motion carried.
4. Regarding Ambau Road – **Motion** by Luckenbaugh, second by LeVault, to authorize MPL to prepare an ordinance for Ambau Road signage. All members voted aye; motion carried.
5. The upgrade to the fuel system will be completed on August 3. Hooray!
6. **Motion** by Luckenbaugh, second by LeVault, to execute PennDOT's Winter Service Agreement, in the amount of \$38,712.49. All members voted aye; motion carried.

C. Engineer's Report

Nothing at this time.

D. Solicitor's Report

Motion by Luckenbaugh, second by Ilyes, to forward the Zoning Text Amendment document to YCPC and NCT's PC for review and comment. *Comment:* Mr. Ilyes reported that Chief Lash said that the police would put up a speed trailer and traffic counter after school starts to help with the total information input for this area. Two members voted aye; *LeVault opposed*. Motion carried.

Motion by LeVault, second by Luckenbaugh, to approve the sewer payment plan and lien for 2031 Noss Road. All members voted aye; motion carried.

IX **Old Business**

FYI, the well pump was replaced at the Stoverstown baseball field.

Motion by LeVault, second by Luckenbaugh, to approve the expenditure of approximately \$1,000 from the Rec Fund to enclose part of the pavilion at the Stoverstown baseball field. All members voted aye; motion carried.

Public works personnel examined the roof of the grandstand and determined that they will be able to fix it.

XI. **New Business**

Motion by Luckenbaugh, second by LeVault, to approve the well isolation letter for House Cash, LLC, at 5432 Thoman Drive, Spring Grove. All members voted aye; motion carried.

XII. **Announcements**

- A. The Board of Supervisors will meet on September 5 at 7 p.m.
- B. Northern York County Regional Police Commission will meet on August 15, 6 p.m., at headquarters.
- C. Planning Commission will **not** meet in August.
- D. The Zoning Hearing Board will **not** meet in August.

Motion by LeVault, second by Luckenbaugh, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:46 p.m.

Respectfully submitted,

Melissa Altland,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary