

**Chanceford Township, York County
Board of Supervisors Regular Meeting
February 9, 2009**

MEETING DAY AND TIME: February 9, 2009

David Gemmill opened the regular meeting of the Chanceford Township Board of Supervisors at 7:07 p.m. in the Community Bldg., 51 Muddy Creek Forks Rd., Brogue, PA. He led those in attendance in the pledge to the flag.

Members present: Chairman David Gemmill, Vice-chairman Eric Bacon and Member Bradley Smith.

Others present: Engineer Casey Deller, Solicitor Timothy Bupp, Zoning Officer Jeffrey Koons, Assistant Zoning Officer Clifton Baldwin, Secretary-Treasurer Brenda Gohn.

APPROVAL OF MINUTES:

Bradley Smith made the motion to approve the minutes of 1/12/09 as written. Seconded by David Gemmill, motion carried.

ASA HEARING:

The hearing for the purpose of receiving public comments relative to the proposal for addition of certain lands to the Agricultural Security Area was opened.

There being no comments from the public, Bradley Smith made the motion to approve the resolution adding the following parcels in their entirety to the ASA:

Collinsville Land Company I, LLC - FN-63A (163.73 Acres – Approx. 39.40 Acres in Chanceford Twp.)

Collinsville Land Company II, LLC – FN-62C (33.86 Acres – Approx. 28.16 Acres in Chanceford Twp.)

Howard C. & Catherine R. Grove – FN-74 (96 Acres) & FN-67A (47.407 Acres)
Seconded by Eric Bacon, motion carried unanimously. Hearing was closed.

FIRE CHIEF'S REPORT:

David Gemmill, on behalf of Chief Ronald Witmer, reported there were 17 calls for January and no loss during that time.

TRANSFER OF DWELLING RIGHTS:

Patty Fisher from James Holley & Asscos. and Earl Dettinger were present to discuss Mr. Dettinger's subdivision plan #080421. Mr. Dettinger would like to transfer two dwelling rights from parcel GN-5A to parcel GN-1. The Planning Commission spent considerable time reviewing the criteria in the Zoning Ordinance and felt it had been met.

The township solicitor confirmed it met the criteria. Bradley Smith inquired as to whether it must be verified that the dwelling rights can be utilized on the lot that they are being transferred from before transferring them to the receiving parcel. Atty. Bupp stated that it is not a criteria in Chanceford Township in order to transfer dwelling rights.

A note will appear on the plan pertaining to this transfer.

Bradley Smith made the motion to approve the transfer of two dwelling rights from GN-5A to GN-1 provided the criteria is met and the agreement is signed and recorded. Seconded by Eric Bacon, motion carried.

PUBLIC COMMENT:

Rev. Brandon Testerman, resident of and spokesperson for Chanceford Crossings asked for clarification as far as what the limitations are regarding the recently erected “No Parking” signs. He also had a concern that if all the vehicles are off the street at the same time, it will increase the speed of traffic.

David Gemmill stated that the township was concerned due to the fact that copies of the Parking Ordinance were distributed to the residents in Chanceford Crossings three times in the last five years in order to make everyone aware that they need to keep the streets free of vehicles so that the snowplows can get through as well as other emergency vehicles with little adherence. Since there was a continuing issue of vehicles parking along the streets, it was decided to erect the signs. However, the Board is open to compromise.

Rev. Testerman was asked to head a committee of five to seven Chanceford Crossings residents to make recommendations to the Board. He accepted.

Scott Sauls has a concern with State Troopers citing vehicles or having vehicles towed that are parked along the streets because of the signs that have been erected.

Joseph Mack, 123 Cold Stream Trail, stated that he is in favor of the “No Parking” signs due to the fact that parking on both sides of the street creates a hazard.

Niclolette Szymanski, 22 Sawgrass Avenue, questioned why the streets were not made wider in 1995. David Gemmill stated he did not know since none of the present board members were in office at that time.

Pete Uzat, 15 Pond Road, feels that the ordinance needs to be changed so that the vehicles can only be parked on the street for a specified period of time.

John McDonald of the Felton Fire Company let everyone know that Felton Fire Company did not file a complaint with the township regarding emergency vehicles not being able to access the streets and further stated that they had no problem accessing any of the streets.

Bradley Smith stated that he realizes that the majority of the residents are not in violation of the ordinance and should not be penalized for those who are in violation.

Eric Bacon feels the signs should be taken down at this time with the stipulation that if it snows, vehicles will be moved off the streets. Those present agreed.

Todd Johns, 28 Sawgrass Avenue, had a concern with paying the roadcrew to take the signs back down. The Board explained that the signs are being taken down because the majority of the residents want them taken down until such time a committee is formed and the issue is resolved.

When the committee is formed and meetings set up, they will be posted on the website.

Nickolett Szymanski, 22 Sawgrass Avenue and Joy Jackson, 24 Sawgrass Avenue, were present to discuss a situation with their neighbor having two German Shepherds in a cage outside 24/7 which bark at night. They inquired about creating a

barking dog ordinance. Eric Bacon stated that an ordinance is township wide and cannot be discriminatory. Atty. Bupp explained that the only mechanism the township has to control nuisance noise is the Noise Ordinance.

Jeff Koons was directed to discuss this situation with the offender as well as measure the noise.

Kent Heffner was present to obtain approval of 30" x 30" signs to be erected at each recreation area. With the suggestion of adding wording to address ATVs and radio controlled devices, the Board approved the signs.

Joseph Mack voiced a complaint regarding unlicensed vehicles and vehicles on which work is being done being parked along the streets. The zoning officer will investigate.

William Frey was present to inquire about the progress on Susan Drive and the Brown Cow Packaging Facility regarding stormwater issues. Casey Deller explained that Susan Drive will be taken care of as soon as weather permits. Everything relative to the Brown Cow Packaging Facility has been approved. They now need to cover the pit, pave and provide an inlet structure to get the water run-off into the pit. Casey Deller was directed to contact Mr. Heindel's engineer and inform him that the Board would like a written schedule within ten days of the work to be completed. If not received, the matter will be referred back to the township solicitor.

Floor was closed.

ROADMASTER'S REPORT:

The 1992 truck has been picked up and Ronald Miller asked for permission to advertise the 1988 Chevy dump truck for sale. Eric Bacon made the motion to direct Ronald Miller to gather the pertinent information and then advertise in the Lancaster Farmer, Craig's List and all other available media. Seconded by Bradley Smith, motion carried.

ZONING OFFICER'S REPORT:

Jeffrey Koons had no report.

ENGINEER'S REPORT:

Act 537 Plan – No update from last month.

Susan Drive – Schedule will be updated.

Douglas Road Culvert – PA DEP permit package will be submitted to DEP for approval.

Casey submitted literature to the Board for their perusal relating to new PennDOT reflective signage regulations, grant opportunities through 3M for posting of new signs and prevailing wage information.

SOLICITOR’S REPORT:

Calabrese et at Property – David Gemmill made the motion to approve an extension to the stay litigation of their appeal for another month. Seconded by Bradley Smith, motion carried.

Atty. Bupp will provide disclaimer language to be added to the website.

PLANNING MODULES:

Bradley Smith made the motion to send the planning modules for the Earl Dettinger and J. C. Hale subdivision plans into DEP for review and approval. Seconded by Eric Bacon, motion carried.

RETURN TO OWNER FEE:

The Commonwealth’s revamping of the Pennsylvania Dog Law has resulted in an increase to \$50.00 of the return to owner fee. Since, in the current contract, it is listed as \$25.00, Eric Bacon made the motion to leave it as is this year. Seconded by Bradley Smith, motion carried.

PENNDOT AGREEMENT:

Eric Bacon made the motion to approve the agreement to authorize electronic access to PennDOT systems. Seconded by Bradley Smith, motion carried.

APPROVAL OF BILLS:

Eric Bacon made the motion to approve the payment of all bills in a manner approved by law. Seconded by Bradley Smith, motion carried.

PUBLIC COMMENT:

There being no additional public comments, the floor was closed.

ADJOURNMENT:

There being no further business, Eric Bacon made the motion to adjourn the meeting. Seconded by Bradley Smith, the meeting was adjourned at 9.38 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary/Treasurer