

Lower Chanceford Township Building, June 6<sup>th</sup>, 2023 at 7:30pm. The regular monthly meeting of the Lower Chanceford Township Board of Supervisors was called to order by the Chairman David Glenn. Others present were Supervisors James Parlett, Jr, Alan Taylor, Secretary/Treasurer/Zoning Officer Susan Wiley and Solicitor Gilbert G. Malone.

The meeting was opened with the salute to the "American Flag".

The minutes of the May 2<sup>nd</sup>, 2023 meeting were read and approved.

A motion by Supervisor Parlett and second by Supervisor Taylor to approve payment of bills. Motion carried.

The board thanked Deanna and Dennis Miller for planting flowers and keeping them watered.

**\*\*THE FLOOR WAS OPENED TO THOSE THAT ASKED TO BE PLACED ON THE AGENDA.**

\*\*Supervisor Parlett made a motion to amend the agenda to allow Heather Bitner to speak. Supervisor Taylor second. Motion carried.

1. Heather Bitner from York County Planning gave a presentation on TIP.
2. A motion was made by Supervisor Taylor and second by Supervisor Parlett to purchase 2 AED. Motion carried. (1) for the ballfields and (1) for the township building. The one at the ballfields will be brought back to the township building during the winter months. ARP funds will be used.
3. Motion by Supervisor Taylor and second by Supervisor Parlett to approve by resolution 23-1 the sewage module for the Dollar General Store. Motion carried.
4. Motion by Supervisor Taylor and second by Supervisor Parlett to approve Ronald and Kelly Millers non-building waiver and subdivision plan on Center Rd. (2 acre parcel from Map DO Parcel 21A) Motion carried. Subdivision fees have been paid.

5. Fire Chief Ronald Miller presented Airville Volunteer Fire Companies subdivision plan with the changes. The change is on the dog leg. It is not an approved driveway by Penn Dot or a private drive. Motion by Supervisor Taylor and second by Supervisor Parlett to approve the Non-Building Waiver. Motion carried. Motion by Supervisor Parlett and second by Supervisor Taylor to approve the subdivision plan. Motion by Supervisor Parlett and second by Supervisor Taylor to waive fees. Motion carried.
6. Sam Esh-Pine Grove Rd made an inquiry about placing a sawmill on his property. He stated that he bought a sawmill that was in Chanceford Township and would like to move it to Lower Chanceford Township. He was informed that it needed to be in low quality soils, 4, 5, and 6. Can't put it on Class, 1, 2, and 3 soils. Attorney Malone stated that it does not appear that he has a place for it. A meeting was set up with planning members and the board of supervisors to take a look at the site.
7. Ben Petersheim on Atkins Road inquired about living provisions for his parents. He asked about a hardship and placing a dwelling on his property. He has 2 acres. He was informed that he would need to meet a "medical" hardship. If he uses a medical hardship a land development plan is not needed, but the dwelling must leave when the hardship is no longer needed. If he puts a separate house on there with not having a hardship then he needs a land development plan and the last dwelling right would need transferred.
- 8.

#### **\*\*EMS REPORT**

1. April Stats were placed in front of the board.

#### **\*\*NEW BUSINESS**

1. Motion by Supervisor Parlett and second by Supervisor Taylor to approve advertising for "Oil Bids". Motion carried.
2. Motion by Supervisor Parlett and second by Supervisor Taylor to approve changing the July 4<sup>th</sup> meeting to July 6<sup>th</sup> due to the election. Motion carried.

3. Motion by Supervisor Parlett and second by Supervisor Taylor to approve using ARP funds to clean out the storm water drain on Amber Drive. Motion carried.
4. Motion by Supervisor Taylor and second by Supervisor Parlett to approve a resident on Lower River Road to pay out of pocket to pave in front of his property to control dust. The board agreed that the portion paved needs to cover the stone width per road master recommendations. Motion carried.

## \*\*ZONING

1. William Sprecher whom owns property in the River Hills has placed a shed on his property without a permit. It sits alongside of the road. A notice was placed on the shed (March 2<sup>nd</sup>) for him to call me and I never heard from him. Pictures were presented to the board. Mr. Sprecher said the shed would be gone on Friday, June 9<sup>th</sup>. The board was also informed that Mr. Sprecher had done work without permits, was notified. He made application but since that was done, the township has changed inspection agencies, so he need to reapply since he didn't make good on the other. Supervisor Taylor made motion to start prosecution if shed wasn't removed by Friday the 9<sup>th</sup>. Supervisor Parlett seconded. Motion by Supervisor Taylor and second by Supervisor Parlett to give 30 days for Mr. Sprecher to make a new application to come into compliance. Motion carried.
2. ZO Sue informed the board that Ivan Esh has a hearing scheduled for July 11<sup>th</sup> at 7:00pm.
3. Steven Smucker was represented by an attorney. Attorney Malone informed the board that he pleaded guilty and received a \$1000.00 fine of which he paid \$500.00 of it to the magistrate's office. He told the board he has 30 days to pay the remainder \$500.00. His attorney asked for a temporary U & O to use the barn. Mr. Smuckers father-in-law Aron Fisher said it took 2 years for his permit and farmers are the ones who feed the world. He also stated that the board is unaware of how the dairy business is operated and Supervisor Taylor said he has been milking cows for 40 plus years. It was stated that common sense is

needed in this situation. ZO Sue reported it was not the township that held this up. Mr. Smucker made the changes even though Sue had a signed paper that Mr. Smucker wasn't going to make any changes to his NPDES Permit and he did so. He was informed by the board not to move cows in on a Monday and on Wednesday Sue was informed that the cows were in. He chose to violate the ordinance. Sue informed the board that the conservation district and Team Ag are going back and forth. Supervisor Glenn closed the meeting and called an executive session to discuss pending litigations. The meeting was reopened. The ZO read the stipulations and this was with a motion by Supervisor Taylor and second by Supervisor Parlett.

- a. NO permit for the house until this project is completed.
- b. In addition to his \$1000.00 fine there is an additional \$5,000 that needs paid to the township in 60 days.
- c. All engineering fees need to be paid.
- d. A temporary will be issued for 90 days. If the project is not completed within 90 days he needs to come to the board and ask for an extension before the 90 days are up.

Mr. Smuckers attorney asked the rationality of these stipulations and Attorney Malone explained that the township can go for additional days which could have been 60 days. The board chose 5 days at a \$1,000 per day. The attorney said they would discuss it and let the township know by Monday.

Motion by Supervisor Taylor and second by Supervisor Parlett that if Mr. Smucker chooses not to accept the proposal additional charges will follow. Motion carried.

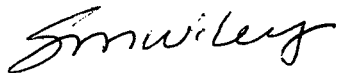
Bob Gochenaur along with Henry Esh expressed concerns that the township should work with the people instead of against them. Bob told of his experience with his NPDES with the turkey barns and getting his U & O. Henry stated that we make moves that we shouldn't. Bob asked Alan if it were him and nowhere to go what would you do? Supervisor Glenn stated

that he blatantly did what he was told not to do. Supervisor Taylor stated that the bottom line is people just do what they want and Nick Wiley stated if I have to do it everybody else should have to. Joe Lapp stated that Team Ag should have been on top of it. Henry said that the engineers should get together.

4. ZO Sue reported that Attorney Malone responded to Samuel Stoltzfoos's attorney and at this time he is compliance with hiring someone to review his storm water and come up with a plan.

5. Motion by Supervisor Taylor and second by Supervisor Parlett to advertise the ordinance change to the fence regulations. Motion carried.

There being no further business, the meeting was adjourned.



Susan M. Wiley sec/treas/zo