

December 11, 2019

The Codorus Township Board of Supervisors met on December 11, 2019 at 7:30 PM. Board members present were: Lamar Glatfelter, Bob Gladfelter and Charlie Van Scoyoc. Others present were: April Rehbein, Attorney John Herrold, Steve Brenton, Steve & Carolyn Bupp Tim & Tammy Heltzel and Jonathan & Winter Weaver.

The meeting opened with the pledge to the flag.

The minutes were approved as presented.

April Rehbein & Carolyn Bupp are recording the meeting.

Lamar announced that an executive session was held after last weeks meeting to discuss a personnel matter and another one will be held tonight.

Tim & Tammy Heltzel had question about their right-of-way off of Valley View Road. Their neighbor Janet Dicke has been placing straw bales into the right-of-way. She is trying to direct the water away from her property. The York County Conservation District has been to the Dicke property and said that it is natural drainage. Attorney Herrold said this is a private issue and will need to be handled between the two neighbors. Bob Gladfelter will check it out to make sure water isn't coming out onto the Township Road.

Steve Brenton was present to discuss a violation notice he received from Keith Hunnings regarding shooting on his property. Steve asked if he needs to appeal the violation notice to the Zoning Hearing Board. Attorney Herrold said that yes, he would need to appeal otherwise it would be presumed that he is in violation.

Bob spoke to a resident on Elmer Lane regarding a right-of-way agreement between the owners on the lane. Attorney Herrold explained that if the owners can't agree on the maintenance of the road, they will need to send written notice to the request that the Roadmaster needs to decide what maintenance needs to be done on the road. Then the Roadmaster will inform the owners along the road.

Lamar reported that there is a lot of water coming down the driveway at the Coster property on Greenmount Church Rd. The stones are washing down onto the road. Attorney Herrold will send the owner a letter regarding this problem.

The Board has all received copies a report from the meeting that was held with Attorney Herrold. Charlie made a motion to accept the report as written by Attorney Herrold. Bob seconded the motion. The motion carried. Vote 3-0. This report will become part of the minutes of this meeting

Attorney Herrold stated that these properties will be looked at as a new subdivision.

Carolyn Bupp stated that Pete Schilling issued them a permit for a farm market stand. Attorney Herrold said he reviewed the Zoning Hearing Board decision and that no permits were issued for a farm market.

Carolyn stated that Bill Fogle issued a permit for the commercial sale of flowers.

Attorney Herrold stated that the Bupps should get the plan approved then go back and file an application for what they would like to do.

Carolyn asked Attorney Herrold if in his opinion the land is one tract of ground. Attorney stated that is what the 1982 subdivision plan shows.

Carolyn asked why Mr. Fisher was allowed to put up a permanent fence. The Bupps would like the fence removed until the subdivision is settled.

The budget was reviewed, and changes were made. Bob made a motion to approve the budget with the changes. Charlie seconded the motion. The motion carried. Vote 3-0.

The bills were presented to the Board. Bob made a motion to pay the bills, seconded by Charlie. The motion carried. Vote 3-0.

The junkyard license for Lucky's was presented to the Board. Bob made a motion to approve and sign the license. Charlie seconded the motion. The motion carried. Vote 3-0.

Carolyn stated that Steve & Carolyn Bupp disagree totally with what was said tonight concerning the report from Attorney Herrold.

The Board went into executive session at 9:10 PM to discuss a personnel matter.

Respectfully submitted

April K Rehbein
Secretary

At the present time, the position of the Township is as follows:

A) The Township will not grant any new permits to Mr. and Mrs. Bupp until the subdivision plan has been approved and properly recorded with the Recorder of Deeds of York County.

B) A farm market was never permitted as a use under the provisions of the Zoning Ordinance because the Bupps never filed an application for a use and occupancy permit for a farm market.

C) A farm market was referred to in an application for a building permit under the Uniform Construction Code. That permit was never finalized because the Bupps never had a final inspection of the building for which the permit was issued. It should be noted that the Bupps never filed an application for a permit for a farm market under the Zoning Ordinance other than those applications that were denied by the Zoning Officer and which denial was sustained by the Zoning Hearing Board.

D) At the present time, the only permitted use approved on the Bupp property is as follows:

- 1) Agricultural use;
- 2) Home occupation for potting sheds pursuant to the Zoning Hearing Board decision of 2013;
- 3) Residential use.

If the Bupps desire to introduce any other uses on their property, they will have to file an appropriate application with the Zoning Officer and will have to comply with all of the provisions for a use and occupancy permit as set forth in the Codorus Township Zoning Ordinance.