

February 12, 2020

The Codorus Township Board of Supervisors met on February 12, 2020 at 7:30 PM. Board members present were: Lamar Glatfelter, Bob Gladfelter and Charlie Van Scoyoc. Others present were: April Rehbein, Dave Rehbein, Attorney John Herrold, Attorney Andrew Herrold, Steve & Carolyn Bupp, Janet Dicke and John Amspacher.

The meeting opened with the pledge to the flag.

The minutes were approved as presented.

April Rehbein & Carolyn Bupp are recording the meeting.

A representative from the Jefferson Volunteer Fire Department was present to give the annual report.

A letter was received from Attorney Stacy MacNeal granting an extension of time for the Fisher/Bupp subdivision plan. The extension is till March 31, 2020. Charlie made a motion to accept the extension. Bob seconded the motion. The motion carried. Vote 3-0.

Attorney Andrew Herrold gave an update on the Boyson property on Grave Run Road. The Boysons would like to subdivide the property along the Codorus and Manheim line. They have one building right in Codorus Township. The house that is currently on the property is being taxed in Manheim Township. Andrew will check with the Assessment office to see if this can be changed to Codorus Township. The Boysons will need to present a subdivision plan to move forward with their proposal.

Carolyn Bupp had some concerns with the report that Attorney Herrold presented at the December 11, 2019 meeting. Carolyn presented a packet with her response. This will become part of tonight's meeting minutes.

Attorney Herrold spoke to Ed Ward at Penn Waste and was told that Penn Waste will extend the contract for one year without any increases. Attorney Herrold will contact Ed to send over a new contract.

Attorney Herrold reported that Donna Coster has not responded to the letter that he sent concerning the water runoff from the driveway on Greenmount Church Road property.

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

The meeting adjourned at 8:20 PM

Respectfully submitted

April K Rehbein  
Secretary

Steven & Carolyn Bupp  
3921 Krebs Road Glen Rock PA 17327  
Parcel 59  
Cross Creek Farm Flower Market

We are not exactly sure what the Board of Supervisors are trying to accomplish by making this "findings of fact" document part of the public record without including any of the 18-year history. Doing so makes the document misleading and targeted. The vote and presentation of this document was not listed on the December 11, 2019 meeting agenda. We were not informed that our property status and use were going to be discussed therefore we are providing these answers to the township's statements.

We request that this response be made part of the township's BOS February 12, 2020 Meeting Minutes.

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.

**Partial Account of History:** The refusal to grant permits also applies to Samuel & Fannie Fisher who on August 19, 2016 purchased the Adjoining Property (Parcel 58) from Stanley & Debra Bupp despite the township's direction that Parcel 58 & Parcel 59 were to be recombined. Their actions also disregarded C.S. Davidson & YCPC comments to first determine Dwelling Unit allocation and Access Agreements. The township has taken no action to require the parcels be rejoined. On August 23, 2016 the township Revoked our market building Occupancy Permit #0984-13 stating "issued in error" in what appears to be an effort to force us into agreeing to subdivide the merged tracts. The township required Parcel 58 & Parcel 59 be recorded together in 1982 in conformance with the 1974 ordinance in order to allow a smaller 1-acre subdivision. The township has a long history of defending the 1974 Ordinance requiring contiguous tracts be sold together and subdivisions greater than 1 acre are not permitted.

We have been put in the position to cooperate with a subdivision. We applied for a Variance for zoning relief from **Ordinance 909** Enforcement, Penalty & Remedy— Preventive Remedy (refusal to issue permits) and from **503 a.** 1-acre limitation. Our township induced hardship (Revoked Permit) made it possible to obtain the Variance from section 503 a. but did not mention relief from section 909 as requested. We have been given no choice but to move forward with the subdivision to separate the Bupp Family farm in order to salvage the Cross Creek Farm Business we have built.

The township neglects to mention in this document their position on the effects of the subdivision. The subdivision will create 2 new properties requiring all new permitting process for any building that does not have valid permits. Because the township Revoked our Occupancy permit, we would now be subject to the new use permitting process for a business that has operated since 2002.

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.

**We agree with this statement.** You will not find an application for a Farm Market because we never requested to Be a Farm Market. The Farm Market Use was introduced by Township Zoning Officer and Codes Enforcement Officer Mr. Peter Schilling during the change of use hearing held in August 2013. Mr. Schilling testified that our approved use was for "cut flowers, more or less a farm market." The bulk of his testimony was that we did not obtain proper permitting. He goes on to state that he sent a "commercial inspector" to do the inspections for the new construction Permit #0555-08 and that we never received a final inspection. Our hearing request was denied due in part to Mr. Schilling's testimony. The Zoning Hearing Board noted our alleged lack of licensing and permitting in the past reduced our credibility.

**Note:** I discovered much later that the inspector Mr. Jeffrey Sleeper was not certified nor was he registered by the Department of Labor to conduct a commercial inspection. I subsequently filed a complaint with the UCC which did not sit well with Mr. Schilling according to his September 12, 2015 email to the township. The UCC upheld my findings.

Following the August 2013 Zoning Hearing, we made several requests for Mr. Schilling to meet with us to discuss our Flower Market operation and correct any permit errors. Mr. Schilling met with us and stated he will be giving us a Farm Market Occupancy – we did not complete an application. I stated my concerns, knowing a Farm Market was a Principle Use requiring a Special Exception by the Zoning Hearing Board. He explained to us how to operate and we discussed accessory uses. We received a Certificate of Occupancy for the Original Permit #0555-08 and for a New Permit #0984-13 Dated 10/21/2013. Noted as: *Permit to: enclose a pavilion for use as a farm stand per zoning board approval*. *Use Group: U (Utility) Prior approved Plans were for Use Group M/U – (Mercantile/Utility)*  
Dated: 8/5/2013 - You will note that the Permit Date is prior to the Aug 12th Zoning Hearing date.

I emailed Mr. Schilling on October 13, 2014 requesting the Zoning Officer's determination of all permitted uses pursuant to the Certificate of Occupancy that was granted. Mr. Schilling replied on October 14<sup>th</sup> simply attaching a copy of the Ordinance Section 633 Farm Market. There have been numerous other times the township as recognized our permitted use as a Farm Market without an "application" on file.

September 23, 2014 the township filed a Civil Complaint 2014-SU-003341-49 against Cross Creek Farm stating among other things... "allowing Defendants to use the open pavilion building "for cut flowers, more or less a farm market". Under The Property, the township admitted that Steven Bupp owns the Property. By way of Further answer both Steve M Bupp and Carolyn L. Bupp the record title owners of the Property. Note: The township makes no mention of the illegal subdivision.

February 11, 2015 BOS Meeting Minutes: I pointed out the very same concerns about the Farm Market permit that was issued.

April 21, 2015 Email to Peter Schilling from Township Secretary April Rehbein: "The Supervisors wanted to know if you have ever requested yearly receipts from the Bupp's for the farm market." Mr. Schilling's response: "No. I can send them a request ASAP if you want me to."

June 18, 2015 Email from Peter Ruth of Stock & Leader – Farm Market Affidavit.

August 6, 2015 BOS Meeting Minutes: Attorney Herrold commented that the Zoning Officer makes the final interpretation of the ordinance. But then goes on to mention that a "photo copy of the ordinance" is not an interpretation.

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.

**First Sentence, Denied.** Answer: Our 2008 application for a building permit states: Type of Improvement: Pavilion, Proposed Use: Commercial Sales of Flowers Permit #0555-08 – Granted by William Fogel (ZO). Due to Mr. Schilling’s classification as Commercial Project under the UCC the application was resubmitted as requested with Engineer Stamped plans for **Flower** Market, Clear Roof Pavilion. Sells Potting Sheds/Antiques. Plans stamped Approved April 2, 2008 by Peter Schilling of Commonwealth Code. Building Permit #0555-08 issued 4/4/2008 Use Group A1 (assembly)

**Second Sentence, Denied.** Answer: Certificate of Occupancy #0555-08 Construct a Pavilion Use Group U (Utility – Note Use Group changed from A1 to U by Peter Schilling) Date 10/21/2013.

Certificate of Occupancy #0984-13 Date 10/21/2013

**Third Sentence, Agreed.** Answer: The township has made several revisions to the Ordinance Section 633 Farm Market. We have submitted an “Application” 3 different times for a Farm Market to amend the “issued in error” permit. Each time we were denied.

***It should be noted that the township stated they have done much needed research to complete their findings but have never spoken to Peter Schilling as to why he issued the Farm Stand permit.***

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.

**Agreed in Part. Denied in Part:**

**Answer:** Agricultural Use Includes **Horticulture** - The growing of fruit, vegetable, FLOWERS, ornamental plants or trees for profit.

**Approved Use:** January 14, 2002 Horticultural Business to sell **Cut Flowers & Dish Gardens in Potting Sheds**. Approval by BOS including Lamar Glatfelter. Zoning Officer Irvin Rappoldt .

**Approved Use:** Operate a **Farm Processing Establishment #0214-15**  
Certificate of Use Dated 1/5/2017

**Approved Use:** **Restrooms** Permit #0754-14 Certificate of Occupancy 6/13/2015

Permit for Installation of on lot Sewage Disposal System 6/11/2014

Note: SEO placed a Use Restriction Stating “A holding tank has been approved for use as a Farm Market Venue only. Any other use would be a violation of this permit.”

Filed RTK to see other Sewer Permits.

**Approved Use:** **Flower Market** -Permit #0555-08 — Clear Roof Pavilion – Commercial - Sells Potting Sheds – Antiques – Certificate of Occupancy 10/21/2013 Use Group: U (Change from Use Group A1 by Peter Schilling)

**Attachments:**

**Revoked Permit**

**Peter Schilling Email – UCC Violation**

**UCC – 2 Letters -Complaint Investigation Findings - 22002 meeting**

**Building Permit - #0555-08**

**#0555-08 Resubmittal**

**Occupancy – Pavilion**

**Occupancy – Farm Stand**

**Plan Approval – M/U Occupancy**

**April Rehbein Email – Farm Market Receipts**

**Peter Ruth Email – Farm Market Affidavit**

**2002 BOS Meeting Minutes**

**Use Certificate – Farm Processing Establishment**

**Occupancy – Restrooms**

**Sewage Permit**

**RTK Response – Sewage Permit**

**References to Meeting Minutes can be found on the Codorus Township Website.**

***\*We continue to negotiate the terms of the subdivision with Samuel & Fannie Fisher.***

# CERTIFICATE OF OCCUPANCY

**REMOVED**

This certificate is issued to declare, to the best of our knowledge, that a systematic inspection process that structure was built in accordance with the Pennsylvania Uniform Construction Code specifications and as contained in the Municipal Ordinance. This certificate does not guarantee competency, quality, or maintenance. We and neither the inspector, company nor the municipality are liable for damages resulting from any defect or fault in the materials or conditions, including repair, reconstruction, personal injury, or death of any person. This certificate is only those described in the covered I.C.C. Codes as pertaining to the Municipal Ordinances. This structure has been inspected through out its construction and has been built to the required specifications as required by the Municipality.

**MUNICIPAL PERMIT NUMBER:**

**PLAN NUMBER:** 0984-13      **PERMIT DATE:** 8/5/2013

**PROJECT ADDRESS:** 3921 Krebs Rd.

**MUNICIPALITY:** Codorus Township

**COUNTY:** York      **TAX MAP:**

**USE GROUP:** U      **CODE + YEAR:** IBC 2009

**CONSTRUCTION TYPE:** 5B      **SPRINKLER:** 0

**OWNER:** Cross Creek Farm  
3921 Krebs Rd.  
Glen Rock, Pa. 17327

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**PERMIT TO:**  
enclose a pavilion for use as a farm stand per zoning board approval

Dated prior to hearing ZH was not until 8/12/13

Additional conditions of occupancy on reverse side

*Peter Schalling*  
Building Code Official

10/21/2013 ←  
Final Inspection Date

← Needed a RTK to get permit issue

Peter T. Ruth

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From: Peter Schilling <pete8@ptd.net>  
Sent: Saturday, September 12, 2015 1:34 PM  
To: April Rehbein  
Cc: Peter T. Ruth  
Subject: Bupp

April,

I was informed on Friday afternoon, by Jeff Christ from Labor and Industry, that I am under investigation by Labor and Industry for a complaint filed against me by the Bupps. The content of the complaint is confidential but it sounds like we are getting UCC and Zoning issues mixed up, as is the case with the Bupps. For some reason, Mr. Christ wants to meet me in my office at 9:30 on Wednesday morning; without anyone else present.

Considering that I have seen other parties, with questionable goals, leverage L&I complaints into expensive litigation, I am very uncomfortable with this. The limits of the UCC listed occupancy are in response to the mediation and hearing that took place, and I do not think that the Township wants to see a secret administrative hearing process used to leverage their enterprises into something that is not contemplated by the Codorus Township Ordinance. Additionally, I do not appreciate being threatened that if I do not give zoning approval for their enterprises, I will be targeted through the UCC process, let alone appreciate losing time and pay dealing with the complaints and hearing that will result.

I am requesting that Codorus Township have a representative present or your solicitor if you think that prudent. The L&I complaint process is confidential, so we will not know what was said to L&I by the Bupps unless we can get a subpoena for their complaint.

Thanks,

Peter Schilling  
CCIS



Certification #000421  
11/06/15 UCH

Mr. Jeffry L. Sleeper  
655 Greenspring Road  
York, PA 17404

Re: Complaint Investigation  
Cross Creek Farm  
3921 Krebs Road  
Codorus Township, PA

Dear Mr. Sleeper:

Under authority of Section 105(a) of the Pennsylvania Construction Code Act (P.L. 491, 35 P.S. §7210.101 et. seq.) and in accordance with Section 403.104 of the Uniform Construction Code (UCC), the Department performed an investigation of a complaint received on January 29, 2015 concerning the enforcement and administration of the UCC regarding the above-referenced property located in Codorus Township, York County.

In the course of the Department's investigation, the following issues were found regarding your enforcement and administration of the Uniform Construction Code:

**Finding No. 1:** You conducted a commercial building footing inspection on April 8, 2008 on the above referenced property and you were not certified nor were you registered by the Department to conduct a commercial inspection.

**§ 401.3. Certification required.**

(a) A person may not perform a plan review of construction documents, inspect construction or equipment, or administer and enforce the Uniform Construction Code without being currently certified or registered by the Department in the category applicable to the work that is to be performed.

**§ 401.15. Registration of current code administrators.**

(c) A current code administrator shall register with the Department by submitting a completed Department-provided form and furnishing required documentation. Documentation is to consist of an affidavit completed by the employer responsible for oversight of the current code administrator's activities and an affidavit completed by the current code administrator

Bureau of Occupational & Industrial Safety | UCC Inspection Division  
651 Boas Street, Room 1624 | Harrisburg, PA 17121 | 717.767.1291 | F 717.346.1233 | [www.dli.state.pa.us](http://www.dli.state.pa.us)

Auxiliary aids and services available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program

Certification #000421

Page 2

11/06/15 UCH

containing a description of the current code administrator's duties, employment and length of employment.

Please consider this letter to be a warning that will be placed in your certification file. In addition the Department may take any of the actions outlined in Section 403.104(c) of the UCC for violations of the Pennsylvania Construction Code Act or to obtain compliance. Should you have any questions regarding this report, please do not hesitate to contact my office at (717) 787-1291.

Sincerely,



Ron F. Englar, BCO  
UCC Field Operations Manager

cc: File  
Inspection Supervisor J. Criss (365)  
Complainant  
P. Schilling, BCO Codorus Township  
L. Glatfelter, Chairman, Board of Supervisor, Codorus Township  
Certification File #000421



Certification #000163  
11/06/15 UCH

Mr. Peter Schilling  
BCO Codorus Township  
Commonwealth Code Inspections  
176 Doe Run Road  
Manheim, PA 17545

Re: Complaint Investigation  
Cross Creek Farm  
3921 Krebs Road  
Codorus Township, PA

Dear Mr. Schilling:

Under authority of Section 105(a) of the Pennsylvania Construction Code Act (P.L. 491, 35 P.S. §7210.101 et. seq.) and in accordance with Section 403.104 of the Uniform Construction Code (UCC), the Department performed an investigation of a complaint received on January 29, 2015 concerning the enforcement and administration of the UCC regarding the above-referenced property located in Codorus Township, York County.

In the course of the Department's investigation, the following issues were found regarding your enforcement and administration of the Uniform Construction Code:

**Finding No. 1:** In your role as Codorus Township BCO, you allowed Jeffrey Sleeper (Certification #421) to conduct a commercial building footing inspection on April 8, 2008 on the above referenced property and he was not certified nor was he registered by the Department to conduct a commercial inspection.

**§ 401.3. Certification required.**

(a) A person may not perform a plan review of construction documents, inspect construction or equipment, or administer and enforce the Uniform Construction Code without being currently certified or registered by the Department in the category applicable to the work that is to be performed.

**§ 401.15. Registration of current code administrators.**

(c) A current code administrator shall register with the Department by submitting a completed Department-provided form and furnishing required

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Equal Opportunity Employer/Program

Certification #000163

Page 2

11/06/15 UCH

documentation. Documentation is to consist of an affidavit completed by the employer responsible for oversight of the current code administrator's activities and an affidavit completed by the current code administrator containing a description of the current code administrator's duties, employment and length of employment.

This letter serves as a warning concerning inadequate performance of your duties as a Building Code Official that will be placed in your certification file. In addition the Department may take any of the actions outlined in Section 403.104(c) of the UCC for violations of the Pennsylvania Construction Code Act or to obtain compliance. Should you have any questions regarding this report, please do not hesitate to contact my office at (717) 787-1291.

Sincerely,



Ron F. Englar, BCO  
UCC Field Operations Manager

cc: File  
Inspection Supervisor J. Criss (365)  
Complainant  
L. Glatfelter, Chairman, Board of Supervisors, Codorus Township  
Certification File #000163





# Codorus Township, York County Application for Building Permit

C-1

Location of Improvement \_\_\_\_\_ Tax Map I.D.: DH Subdivision File/Lot #: 591

ADDRESS: 3921 KREBS RD GLEN ROCK 17327  
STREET TOWN ZIP

ZONING DISTRICT: AG LOT SIZE: \_\_\_\_\_ PRINCIPAL USE: \_\_\_\_\_

NOTE: SEE ATTACHED PERMITS

Type of Improvement	<input type="checkbox"/> ADDITION	Proposed Use
<input type="checkbox"/> NEW HOME	<input type="checkbox"/> GARAGE ATTACHED TO HOUSE	<input type="checkbox"/> RESIDENTIAL
<input type="checkbox"/> NEW BUILDING OVER 1000 SQ FT	<input checked="" type="checkbox"/> OTHER <u>Clear Roof Pavilion</u>	<input type="checkbox"/> AGRICULTURAL <u>Flower Market Pavilion</u>
		<input checked="" type="checkbox"/> NON-RESIDENTIAL <u>FLORAL MARKET PAVILION</u>

**REQUIRED SUBMITTALS**

SEPTIC PERMIT/ APPROVAL LETTER FOR ANY BATH IN ADDITION OR BUILDING

PLOT PLAN

BUILDING PLANS - 2 SETS \* SEE ATTACHED

ROAD OCCUPANCY NEW HOME  
NOTE: FOR STATE ROADS, PROOF OF DRIVEWAY PERMIT REQUIRED, FOR TOWNSHIP ROADS, COMPLETE APPLICATION

CHECK FOR \$60.00 PAYABLE TO CODORUS TOWNSHIP

**GENERAL REGULATIONS**

STORM WATER MANAGEMENT REQUIRED FOR ALL NEW HOMES AND BUILDINGS OVER 1000 SQUARE FEET.

PLAN SUBMISSION FOR STATEWIDE CODE APPROVAL APPROXIMATELY FIVE TO TEN WORKING DAYS

**RESUBMITTAL**

<b>Contact Identification</b>	<b>CONTRACTOR INFORMATION</b>
ON SITE WORK PERFORMED BY:	NAME <u>Steven Bupp Masonry, Inc.</u>
<input checked="" type="checkbox"/> OWNER, LESSEE (Skip Block)	ADDRESS <u>3921 Krebs Rd</u>
<input checked="" type="checkbox"/> CONTRACTOR	<u>Glen Rock, PA 17327</u>
	PHONE <u>235-4702</u>
OWNER, LESSEE <u>Steven M Bupp</u>	PHONE <u>235-4702</u>
ADDRESS <u>3921 Krebs rd</u>	DATE <u>1/20/08</u>
<u>Glen Rock PA 17327</u>	<u>Steven M Bupp</u> <u>1/20/08</u>
	APPLICANT'S SIGNATURE DATE
	PRINT NAME <u>Steven M Bupp</u>

# CERTIFICATE OF OCCUPANCY

This certificate is issued to declare, to the best of our belief and knowledge, that though a systematic inspection process this structure was built in accordance with the Pennsylvania Uniform Construction Code specified and as contained in the Municipal Ordinances. This certificate does not guarantee efficiency, wearing qualities, maintenance or repair and neither the inspector, company nor the municipality shall be liable for any damages resulting from any defect or fault in the materials or specifications, including repair, reconstruction, personal injury, or death of any person. This certificate covers only those items described in the covered I.C.C. Codes as pertaining to the Municipal Ordinances. This structure has been inspected through out its construction and has been built to the required specifications as required by the Municipality.

## MUNICIPAL PERMIT NUMBER:

PLAN NUMBER: 0555-08

PERMIT DATE: 4/4/2008

PROJECT ADDRESS: 3921 Krebs Rd.

MUNICIPALITY: Codorus Township

COUNTY: York

TAX MAP: DH-59

USE GROUP: U

CODE + YEAR: 2006 IBC

CONSTRUCTION TYPE: 5B

SPRINKLER: 0

OWNER: Cross Creek Farm  
3921 Krebs Rd  
Glen Rock, Pa. 17327

## PERMIT TO:

construct a pavillion

Additional conditions of occupancy on reverse side

*Peter Schulling*

Building Code Official

10/21/2013

Final Inspection Date

# NOTES

NEW GREENHOUSE FOR SEASONAL PLANT GROWING AND OCCASIONAL RETAIL SALE - ON OWNER'S RESIDENTIAL & FARM PROPERTY

ORIGINAL PAVILION STYLE GREENHOUSE STRUCTURAL BUILDING PLANS WERE REVIEWED & APPROVED (SEE ATTACHED SHEETS) - OWNER SUBSEQUENTLY ENCLOSED PAVILION - SEEKING BUILDING APPROVAL FOR BUILDING AS CURRENTLY STANDS

OCCUPANCY CLASSIFICATION U (UTILITY) + M (MERCANTILE)  
CONSTRUCTION TYPE VB (5B)

MERCANTILE IS MOST RESTRICTIVE USE:  
1628 SQ FT = 50 GROSS AREA  
228 SQ FT = RETAIL  
247 SQ FT = STOCK

REVISIONS

APPROVED FOR CONSTRUCTION  
2009 IBC/IRC

AUG 05 2013

*Jon Frey* 000163

PLANS - ELEVATION

GREENHOUSE - PLANT

**CROSS CREEK**

3921 KREBS ROAD (CODORUS TWP)

FILE  
FREYX222-1.DWG

DATE  
AUG. 1, 2013

SCALE  
1/8" = 1'-0"

DWN BY  
JON FREY

REVISION

SHEET



## CERTIFICATE OF OCCUPANCY

*This certificate is issued to declare, to the best of our belief and knowledge, that though a systematic inspection process this structure was built in accordance with the Pennsylvania Uniform Construction Code specified and as contained in the Municipal Ordinances. This certificate does not guarantee efficiency, wearing qualities, maintenance or repair and neither the inspector, company nor the municipality shall be liable for any damages resulting from any defect or fault in the materials or specifications, including repair, reconstruction, personal injury, or death of any person. This certificate covers only those items described in the covered I.C.C. Codes as pertaining to the Municipal Ordinances. This structure has been inspected through out its construction and has been built to the required specifications as required by the Municipality.*

**MUNICIPAL PERMIT NUMBER:**

**PLAN NUMBER:** 0984-13                      **PERMIT DATE:** 8/5/2013

**PROJECT ADDRESS:** 3921 Krebs Rd.

**MUNICIPALITY:** Codorus Township

**COUNTY:** York                                      **TAX MAP:**

**USE GROUP:** U                                      **CODE + YEAR:** IBC 2009

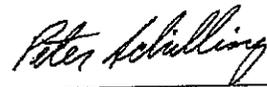
**CONSTRUCTION TYPE:** 5B                      **SPRINKLER:** 0

**OWNER:** Cross Creek Farm  
3921 Krebs Rd.  
Glen Rock, Pa. 17327

**PERMIT TO:**

*enclose a pavilion for use as a farm stand per zoning board approval*

*Additional conditions of occupancy on reverse side*

  
\_\_\_\_\_  
Building Code Official

10/21/2013  
\_\_\_\_\_  
Final Inspection Date

Hearing date  
8-12-2014

**From:** ~~Peter Schilling <pete8@ptd.net>~~  
**Sent:** Thursday, November 05, 2015 8:31 PM  
**To:** Peter T. Ruth  
**Subject:** FW: Bupp farm market

**From:** April Rehbein [mailto:codorustownship@gmail.com]  
**Sent:** Wednesday, April 22, 2015 8:16 AM  
**To:** Peter Schilling <pete8@ptd.net>  
**Subject:** Re: Bupp farm market

No just hold off for now. I think Stock and Leader were going to ask for them. I just wanted to see if you had ever requested them.

Thanks,

April

On Tue, Apr 21, 2015 at 5:00 PM, Peter Schilling <pete8@ptd.net> wrote:

No. I can send them a request ASAP if you want me to

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**From:** April Rehbein <codorustownship@gmail.com>  
**Sent:** Tuesday, April 21, 2015 3:49 PM  
**To:** Peter <pete8@ptd.net>  
**Subject:** Bupp farm market

Hi Pete,

The Supervisors wanted to know if you have every requested yearly receipts from the Bupp's for the farm market I think they are going to have the Attorney request this but I just wanted to see if you had every asked for them.

Thanks,

April

Jun 18, 2015 10:19:15 AM, [ptr@stockandleader.com](mailto:ptr@stockandleader.com) wrote:Ms. Bupp:

I just spoke with Bob Glatfelter at the Township. I understand you have some concerns regarding the percentages in sections D.1 and D.2 of the Affidavit, as well as the reporting requirements of section D.3. Please rest assured that the Township has no interest in having you open up your business records for inspection. What the Township is looking for is an certification that shows what percentage of your sales were from crops grown on the land farmed by you (as operators of the farm market), and the percentage of your gross sales that were agricultural products. In other words, the Township has no interest in knowing what amount of money you made, just a certification of the percentage of the gross amount of sales that were from the crops grown on the land (at least 50%) and from the sale of agricultural products (at least 75%).

Please contact me at your earliest convenience so that this issue can be resolved.

Peter

Fri, Jun 19, 2015 4:00 pm Mr. Ruth,

Contrary to what Mr. Gladfelter told you, I do not have any concerns about the percentages in section D.1 and D.2 of the affidavit. I fully understand the 50%/75% gross sales requirements, as they were explained to me by Mr. Peter Schilling when he issued the Farm Market permit to us in October 2013. We also discussed the accessory uses he felt were permitted. I do however have concerns with the Reporting Requirement in D.3. Section 633 Farm Market D.3 states that I have to maintain records it does not state that I am mandated to report such records on an annual basis. I would like to ask this, Section 634 Farm Processing Establishment must maintain a 30% volume of products processed must be of products grown on the land owned by the operators. Is the Processing Establishment also mandated to report certification?

I feel it would not be in our best interest to sign the affidavit. I would however like to request another attempt at negotiating. Our complicated situation is riddled with misinformation one that I think a negotiation in good faith would be able to solve.

I agree completely that this issue needs to be resolved, but I cannot do so without first knowing the permitted accessory uses. The township has written and submitted new ordinances that will greatly affect the Farm Market permit, almost rendering it unable to be successful. The board of supervisors has also stated that they intend to adopt the new ordinances with little concern for the operators of a Farm Market.

The other matter is that the township is seeking to replace Mr. Schilling as ZO. This would leave us at the mercy of the new ZO and could honestly put us right back where we started.

It is my hope that the Supervisors agree to settle this matter in a respectful manner that is acceptable to all parties concerned.

I look forward to your response,

Carolyn L. Bupp

January 14, 2002

The Codorus Township Board of Supervisors met in regular session on January 14, 2002 at 7:30 P.M. in the Township office. Board members present were Brian Baer, ~~Lamar Glatfelter~~, and Goldie Day. Others present were Attorney Brian Strong, April Rehbein, Timothy Steger, Irvin Rappoldt, Cecile Fetters, and Steve & Carolyn Bupp.

The meeting opened with the Pledge to the flag.

The minutes were approved.

A letter was read from Ray & Sharon Masimore thanking the Township Supervisors and the Community for their support and prayers during the illness and passing of Gary Masimore.

Goldie Day made a motion to adopt ordinance #02-1 making the elected Tax Collector the Delinquent Tax Collector for the year 2001 & 2002. Brian Baer seconded this motion. Motion carried.

Brian Baer made a motion to issue a road occupancy permit to GPU Energy Co. for work done on Raleigh Ct. seconded by Lamar Glatfelter. Motion carried.

Goldie Day made a motion to renew a license for Fireworks Productions for storage of fireworks seconded by Brian Baer. Motion carried.

Irvin Rappoldt gave his report for the month of December. One permit was issued. Irvin has received all of the letters renewing the hardship cases in the Township. Lamar would like Irvin to check out the former Thompson property located at the corner of Lineboro Rd. Irvin should file any papers that are necessary to get the property cleaned up.

\* Carolyn Bupp would like to put up a portable potting shed at the end of her lane and sell cut flowers and dish gardens. She would also like to put up a greenhouse on her property. The Board told her she can go ahead with selling the flowers and she should contact Irvin for a permit when she is ready to put up the greenhouse.

Attorney Brian Strong reported that Attorney Herrold is working on getting a letter out about the cable laying on the Krebs property on Hawk Hill Rd.

Tim Steger gave the roadmaster report. They have been doing a lot of clean up work along Johnson Road. The residents of that road would like to see it paved. Tim would like to know what roads are going to be paved this year. He would suggest Fair School from Mummert Rd to the bridge and Bortner Rd. Tim has one estimate of \$5,542.50 from L. S. Lee Co. for the guardrail on Catholic Valley Rd. This is the only company Tim could get to give him an estimate.

Cecile Fetters presented the minutes from the Joint Sewer Authority.

We opened 8/2/2002

# Township of Codorus

## CERTIFICATE OF USE

### This Certificate Of Use Is Presented To:

Steve & Carolyn Bupp  
3921 Krebs Road  
Glen Rock, PA 17327  
UPI:22000DH00590000000

For a use of:

Farm Processing Establishment

As per Codorus Township Ordinance No. 15-04, Section 634,  
Sub-sections 1&2:

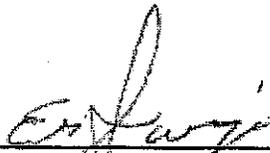
**634.1:** At least thirty (30%) percent of the volume of products processed must be of products grown on land farmed by the operator of the farm processing establishment. Nothing contained herein shall preclude multiple farmers operating farms within Codorus Township or elsewhere within York County from combining into a single farm processing establishment operated by one or more of such farmers, in which case the numerical requirements of this section shall apply to such farmers collectively.

**634.2:** The operator of the farm processing establishment must keep such records as are necessary to establish compliance with section 1 above.

Records must be produced and submitted on a yearly basis, each year, on or before December 31st for review by the Zoning Officer.

Effective this date: 1/5/2017

ZONING ONLY



Authorized Signature

No building changes are permitted once this certificate has been issued without approval of the Municipality.

1/5/2017

Date

**CERTIFICATE OF OCCUPANCY**

This certificate is issued to declare, to the best of our belief and knowledge, that though a systematic inspection process this structure was built in accordance with the Pennsylvania Uniform Construction Code specified and as contained in the Municipal Ordinances. This certificate does not guarantee efficiency, wearing qualities, maintenance or repair and neither the inspector, company nor the municipality shall be liable for any damages resulting from any defect or fault in the materials or specifications, including repair, reconstruction, personal injury, or death of any person. This certificate covers only those items described in the covered I.C.C. Codes as pertaining to the Municipal Ordinances. This structure has been inspected through out its construction and has been built to the required specifications as required by the Municipality.

<b>MUNICIPAL PERMIT NUMBER:</b>	
<b>PLAN NUMBER:</b> 0754-14	<b>PERMIT DATE:</b> 6/13/2014
<b>PROJECT ADDRESS:</b> 3921 Krebs Rd.	
<b>MUNICIPALITY:</b> Codorus Township	
<b>COUNTY:</b> York	<b>TAX MAP:</b> DH-59
<b>USE GROUP:</b> U	<b>CODE + YEAR:</b> IBC 2009 & IBC 2011 CHAPTER 11
<b>CONSTRUCTION TYPE:</b> 5B	<b>SPRINKLER:</b> 0
<b>ACCESSIBILITY VARIANCE #</b>	
<b>PERMIT HOLDER:</b> Steven Bupp 3921 Krebs Rd Glen Rock, Pa. 17327	
<b>PERMIT TO:</b> construct restrooms	

Additional conditions of occupancy on reverse side copyright 2004 CSI

*Peter Schalling*

Building Code Official

6/12/2015

Final Inspection Date

TO BE POSTED AT THE BUILDING SITE

# PERMIT

for

## INSTALLATION OF ONLOT SEWAGE DISPOSAL SYSTEM

Pursuant to Application for Sewage Disposal System number 2119524  
a permit is hereby issued to:

NAME OF APPLICANT STEVEN & CAROLYN BUYP 235-4702

ADDRESS OF APPLICANT 3921 KREBS ROAD TELEPHONE NUMBER 235-4702

PROPERTY ADDRESS OF SITE FOR SEWAGE DISPOSAL SYSTEM GLEN ROCK, PA. 17327

SAME

This permit issued under the provisions of the "Pennsylvania Sewage Facilities Act," the Act of January 24, 1966 (P.L. 1535), as amended, is subject to the following conditions:

1. Except as otherwise provided by the Act or regulations of the Pennsylvania Department of Environmental Protection, no part of the installation shall be covered until inspected by the approving body and approval to cover is granted in writing below.
2. This permit may be revoked for the reasons set forth in Section 7(b)(6) of the Act.
3. If construction or installation of an individual sewage system or community sewage system and of any building or structure for which such system is to be installed has not commenced within three years after the issuance of a permit for such system, the said permit shall expire, and a new permit shall be obtained prior to the commencement of said construction or installation.

ADDITIONAL CONDITIONS:

*A HOLDING TANK HAS BEEN APPROVED FOR USE AS A FARM MARKET VENUE ONLY. ANY OTHER USE WOULD BE A VIOLATION OF THIS PERMIT.*

KEEP THIS PERMIT FOR FUTURE REFERENCE

Approval to Cover

Date of issuance of Permit 6/11/14

W. Deed  
Signature of Enforcement Officer

COOPER TRIP  
Approving Body

8/20/14  
Date

W. Deed  
Signature of Enforcement Officer

The basis for the issuance of this permit is the information supplied in the Application for Sewage Disposal System and other pertinent data concerning soil absorption tests, topography, lot size, and sub-soil groundwater table elevations. The permit only indicates that the issuing authority is satisfied that the installation of the sewage disposal system is in accordance with the rules, regulations and standards adopted by the Pennsylvania Department of Environmental Protection under the provisions of the Pennsylvania Sewage Facilities Act, the Act of January 24, 1966 (P.L. 1535), as amended. The issuance of a permit shall not preclude the enforcement of other health laws, ordinances or regulations in the case of malfunctioning of the system.

**\*SEE REVERSE SIDE FOR IMPORTANT INFORMATION**



FORM PROVIDED BY THE COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER STANDARDS AND FACILITY REGULATION

CODORUS TOWNSHIP BOARD OF SUPERVISORS



4631 Shaffers Church Rd.  
Glenville, PA 17329

June 30, 2014

Carolyn L. Bupp  
3921 Krebs Road  
Glen Rock, PA 17327

RE: Right-To-Know Request #4

Dear Ms. Bupp,

On June 25, 2014, we received your fourth request for information pursuant to Pennsylvania's Right-To-Know Law (RTKL). Specifically, you requested "to review and copy if need all sewer permits issued during the years 2012 to present for Codorus Township." We have conducted a review of your request, and unfortunately, we have determined that it must be denied.

Your request is being denied because the Township is not in possession of the records that you have requested. The permits that you are seeking are issued by a sewage enforcement officer who is contracted by the Township to issue such permits. If the sewage enforcement officer maintained copies of those permits, then we believe that those copies would be subject to disclosure under section 506(d) of the RTKL. However, the sewage enforcement officer does not maintain copies of the permits that he issues, and so your request must be denied pursuant to section 705 of the RTKL.

Although we have determined that your request must be denied, you have the right to appeal this denial of information in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120. Also, if you choose to file an appeal, you must do so within 15 business days of the mailing date of this letter. Please note that a copy of your original Right-To-Know request as well as a copy of this denial letter must be included when filing an appeal. The RTKL also requires that you state the reasons why you believe the requested record is a public record subject to disclosure, and you must also note the reason for the denial of your request.

For further information about filing an appeal, you may visit the Office of Open Records website at <http://openrecords.state.pa.us>. If you have additional questions for us, please feel free to call me at 717-235-4634.

Sincerely,

A handwritten signature in cursive script that reads "April Rehbein".

April Rehbein  
Open Records Officer

717-235-4634

717-235-8405

[www.codorustownship.org](http://www.codorustownship.org)