

April 7, 2022

The Codorus Township Board of Supervisors met on April 7, 2022 at 7:30 PM. Board members present were: Lamar Glatfelter, Bob Gladfelter and Charlie Van Scoyoc. Others present were: Attorney Andrew Herrold, April Rehbein, Brandon & Karen Wright, Aaron & Linda Stoltzfus, Michael Wickham, Leslie Humphrey, John Amspacher, Doug Crawford, Kate Holcomb, Harvey Kornstein, George Willis, David Yoder, Ralph Wright, Steve & Carolyn Bupp.

The meeting opened with the pledge to the flag.

Attorney Herrold announced that the Board had an executive session before tonight's meeting to discuss litigation for an appeal of the Zoning Hearing Board decision.

Doug Crawford presented the subdivision plan for Kate Holcomb on Fisher Road. Bob made a motion to approve the plan. Charlie seconded the motion. The motion carried. Vote 3-0.

Doug also presented the non-building waiver. Lamar made a motion to sign the waiver, seconded by Bob. The motion carried. Vote 3-0.

Michael Wickham was present to follow up from the February 3<sup>rd</sup> meeting regarding the Landscaping Company operating at 5077 Snyder Mill Road. Bob reported that he spoke to Eric and Eric said it is a low impact business. Michael questioned the unpermitted buildings. According to the York County Assessment website the buildings were permitted.

Michael also questioned the unpermitted storage at 5173 Snyder Mill Road. There is an appeal on the decision of the zoning hearing board for this property. Attorney Herrold also stated there is filed litigation pending on this property and has recommended the Board not comment on this at this time.

Carolyn Bupp read a letter to the Board of Supervisors. The letter is attached as part of these minutes.

Attorney Herrold presented Ordinance 22-1 for the code adoption process.

Bob made a motion to adopt the Ordinance 22-1 Ordinance of Codorus Township approving adopting and enacting an ordinance codification. Charlie seconded the motion. The motion carried. Vote 3-0.

Attorney Herrold presented an agreement from Cohen Law Group to negotiate with Comcast for a new cable franchise agreement. Attorney Cohen will also be putting together a proposal to help the Township get better service to the area.

Lamar made a motion to engage Cohen Law Group to perform cable franchise services. Charlie seconded the motion. The motion carried. Vote 3-0.

The Board discussed eliminating the second Supervisors meeting of the month. Lamar made a motion to eliminate the second meeting of the month. Bob seconded the motion. The motion carried. Vote 3-0.

Lamar Glatfelter has been attending meeting with other Township's regarding EMS. The Municipalities would like to have DCED conduct an EMS study. Charlie made a motion to sign a letter of intent to conduct the study. Bob seconded the motion. The motion carried. Vote 3-0.

Bob Gladfelter spoke about the repairs that are needed on the Township Building. Bob has received two quotes for new garage doors. Overhead door quoted \$8,700 for one insulated door and DC Door quoted 19,582.75 for all three doors. Overhead door was contacted for a full quote but never returned Bob's call. Bob made a motion to accept the quote of DC Doors. Lamar seconded the motion. The motion carried. Vote 3-0.

Charlie Van Scoyoc got a quote from AB Martin for the metal siding for the building for \$22,000. The Township will need to get more quotes for the siding.

Bob Gladfelter presented a quote for a new pickup truck for \$75,000. This is through the Costars Program. Bob made a motion to purchase the new Ford pickup truck with a bed from MJR. Lamar seconded the motion. The motion carried. Vote 3-0.

Bob presented the bridge inspection report for three bridges. Nothing has to be done at this time on any of the bridges.

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

The meeting adjourned at 8:27 PM

Respectfully submitted

April K Rehbein  
Secretary

Presented to the Board of Supervisors - April 7, 2022

I've stated before of my concerns for the proposed Private Burial Grounds Ordinance and the Planning Commission's lack of transparency of the process.

Section 1102 of the Codorus Township Ordinance allows for Initiation of Amendments to the ordinance. Amendments can be initiated by the Board of Supervisors (BOS), the Planning Commission (PC) or by a Landowner.

There is a certain procedure to be followed when initiated by a Landowner.

The proposed ordinance was not initiated by the BOS or PC. The challenge to ordinance came to the township during a 2017 BOS meeting. The website continues to be down so I don't have access to the exact meeting minutes. During the July 2021 Planning Commission meeting Lamar Glatfelter stated he was approached again in regards to a Private Burial Ground and a potential location. At that point the landowner(s) should have been referred to the Zoning Officer to follow the Petition Procedure or request a Zoning Hearing for the intended location of the Private Burial Ground.

The township has expended a large amount of legal billable hours since July 2019 drafting an ordinance. The landowner(s) did not attend any meetings until recently. Even then, the comments were left out of the meeting minutes. The most recent draft did not suit them which sent the proposed ordinance back for another revision. The cost for the ordinance is paid solely by the Township. A Procedure Petition or Zoning Hearing would be a shared cost by the Landowner and the Township.

While the proposed ordinance does include some restrictions, such as requiring a Dwelling Unit, which I assume would need to be recorded. A Dwelling Unit normally only allows for 1 acre. The proposed ordinance will allow for up to 3 acres. Setbacks from water ways & wells has also been taken into consideration. The key concerning issue is the ordinance proposes to make a Private Burial Ground an accessory to Agriculture. To be an Accessory Use you must first determine the Principal Use. Agriculture is a Principal Use. According to ordinance to be an accessory to Agriculture you must first grow 50% of your sales. Additional uses in the Ag District require a Special Exception requiring a Zoning Hearing. Cemeteries are a permitted accessory use in the Ag Zone. The

requirement is that a cemetery needs to be associated with a "house of worship". If the landowner is not affiliated with a "house of worship" the process would have been to apply for a variance to allow the cemetery. Another possible option may be to file under Section 105 Uses not provided for. Standalone Cemeteries are permitted in the Rural Residential District so there is the option to purchase property in that zone.

The proposed Private Burial Grounds use does not require a Zoning Hearing. Without the benefit of a Zoning Hearing adjoining property owners have no say in the matter. Property values drop by at least 12% when located next to a cemetery. The adjoining property owner would not be able to express concerns of burial practices of the owner of the burial grounds. According to the ordinance, it will be the home owner of the property that is responsible for the maintenance of the Private Burial Grounds by engaging in a sort of contract. Enforcement of the contract would fall on an already overburdened Zoning Officer. The state has put the control of cemeteries into the hands of the municipalities. The Township in turn should take the responsibility seriously. An ordinance such as this is not only intended for a single proposed burial lot but could open the Ag Zone to several.

In addition, both the Planning Commission and Board of Supervisors meetings are open "meetings". They are not court rooms. When a resident expresses concern about a potentially detrimental ordinance they should not be treated as if they are on trial. If the PC was being open and transparent about the origin and purpose of the proposed ordinance, they would not be met with what is deemed "argumentative opinions".

I am once again asking the Codorus Township Board of Supervisors stop the proposed ordinance based on the fact the process is against Section 1102 of the ordinance and that a Private Burial Ground is in no way nor should be an Accessory to Agriculture as per the definitions in Section 302 of the ordinance.

Residents have the right to expect transparency in all works of the municipality's elected and appointed officials. I request this letter be made part of this evening's minutes.

Carolyn Bupp