

July 11, 1984

The Board of Supervisors of Codorus Township met in regular session on July 11, 1984 at 7:30 P.M. in the Township office. Board members present were: Charles Wehrly, Larry Luckenbaugh and Leroy Thoman. Others present were: Solicitor Joel Sechrist, Dan Mays, an assistant maintenance engineer with the Pennsylvania Department of Transportation, a group of residents living along Krebs Road, a group of residents in opposition of the Rehab Center proposed, Mr. James Miller, Mahlon Stambaugh, Mr. & Mrs. Paul Solomon, Thomas Moore and a reporter with the York Dispatch.

The Chairman, Charles Wehrly, called the meeting to order.

Copies of the minutes of the July 5 meeting were available for public inspection. Copies of the proposed amendment to the Codorus Township Zoning Ordinance were also available for public inspection.

Chairman Wehrly asked for comments on the proposed rehabilitation center in Codorus Township. Chairman Wehrly stated that the article in the July 8 York Sunday News concerning the center had prompted residents to attend this meeting.

Ann Corum wanted to know how this proposed amendment came about and Supervisor Larry Luckenbaugh explained to those present the events leading up to the proposal to amend the Codorus Township Zoning Ordinance to allow, by special exception, a residential rehabilitation farm in the Agricultural Zone.

Ann Corum stated that she was opposed to this use in the Agricultural District. Roy Gladfelter stated that he felt that if the Zoning laws are changed for this use, that the farmers in the Township are being discriminated against. As the present Ordinance now stands, farmers are limited in the use of their farms, especially for building lots and other uses. Mr. Gladfelter also stated he felt this proposed rehab center could be a liability to the Township. Ann Corum also questioned the definition of compulsive behavior. She wanted to know if this use may lead to bringing in persons from the criminal justice system, as patients at the proposed rehab center.

Tom Moore stated that he felt the proposed amendment should not go any further since the use of the rehab farm as proposed would be in conflict with the agricultural use of the farm and this use would create some type of problem or problems that the present ordinance is trying to prevent.

Paul Solomon stated that he is also concerned about this proposed amendment and asked the Board to drop the matter now.

Marsha McKnight also had some questions concerning the proposed use of the farm for a rehab center such as - how can controls be put on the number of days that a person would be allowed at the center if they were sick and would the Township amend the ordinance should someone wish to put in a camp ground or some other use that is not now permitted in the Agricultural Zone.

The residents in opposition to this rehab center had other questions concerning sewage problems at the cite, amount of taxes that the Township would receive from the center, etc.

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Leroy Thoman made a motion to halt the proposed amendment to the Codorus Township Zoning Ordinance that would allow a residential rehabilitation farm in the Agricultural District of the Township, seconded by Charles Wehrly. Larry Luckenbaugh abstained from voting due to a conflict of interest. The motion passed by majority vote.

The secretary was instructed to send a letter to Mr. Evans of H.E.S., Inc. (the Corporation that would operate the proposed rehab farm), stating that the Township had voted to drop the advertisement of the proposed amendment that would allow this use by special exception.

Paul Solomon introduced Dan Mays, an assistant maintenance engineer with the Pennsylvania Department of Transportation. Mr. Solomon and a group of residents living along Krebs Road (a State Legislative route) wanted to know what the State's policy is on turning back roads to the townships.

Mr. Mays reported that the State has a program to turn back roads to the Townships with 13.5 million dollars budgeted for the year 1984, with \$130,000 allotted to York County. All the money allotted to York County has been used up for 1984. To turn back a road to the Township, PennDot would fix up the road to the Township's approval and after the take back by the Township, the State would pay \$2,500 per mile to the Township after two (2) years from the date of the take back. There would be no increase in the Liquid Fuels Tax monies for these roads, just a lump sum payment annually of \$2,500 per mile. Mr. Mays stated that another alternative would be for the Township to fix up the road at a sum agreed upon between the State & the Township.

The Board of Supervisors stated it would be willing to fix up Krebs Road in a condition that would be acceptable for the take over of this road if the State would reimburse the Township for time and materials.

The Krebs Road residents expressed many complaints concerning this road. The State has neglected to do any worthwhile maintenance on this road for many years. The road is unsafe for motorists and is especially a safety hazard for school busses that travel the road. Mr. Mays suggested that the residents petition the District Engineer, Mr. Robert Mueser, for something to be done to Krebs Road. The residents felt that it should not be necessary to have to petition for this work. The Board of Supervisors and residents will send letters to Mr. Mueser, asking that immediate attention be given to improving this road.

Thomas Moore was present with questions concerning the procedure on applications for sewage permits in the Township. Mr. Moore has been in contact with the Department of Environmental Resources, which told him that the individual municipalities make their own rules regarding the fees charged for the services of the Sewage Enforcement Officers. Mr. Moore recently paid a fee of \$250.00 to Codorus Township for a percolation test, sewage permit and inspection fee. He wanted to know if the permit would be valid in the future should the Township change Sewage Enforcement officers. At present, a permit is valid for two years from date of issue (this is a D.E.R. regulation), but that the permit may be renewed for two year extensions by paying a renewal fee of \$25.00 to the Township. If the applicant wishes to keep the permit valid, the permit should be renewed at each expiration. If this is done, Mr. Stambaugh stated he sees no reason for the Township to deny approval of the permit in the future, regardless of whether the Township has hired a new S.E.O. or not.



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Mr. Moore was also concerned about being required to have a new percolation test done in the future. He was told that if the permit was not issued at the time of application for the percolation test, then a different sewage enforcement officer would not be permitted to issue a permit on the work performed by a previous S.E.O., since the Department of Environmental Resources has a new ruling that the new sewage officers are not required or allowed to issue permits for work done by previous S.E.O.s.

Marsha McKnight asked if panhandle lots were allowed in the Township. She was told that these lots have been allowed in the past.

Mrs. Eugene Zumbrum had reported to the Secretary that the work to remove their mobile home has been completed by R.S. Delp & Sons.

Larry Luckenbaugh made a motion to withhold payment to R.S. Delp & Sons on the Zumbrum job until the Board has inspected the job to assure that all the work on the proposal has been completed. Leroy Thoman seconded this motion. This motion passed.

James Miller was present and thanked the Board for voting down the proposed amendment to the Township Zoning Ordinance concerning the proposed rehab farm.

Mr. Miller also had questions concerning the subdivision of his property along Miller Road. He wanted to know why a percolation was necessary. The Board told him that it could not approve a subdivision where a home was to be built without proof that a septic system could be installed. It would be up to Mr. Miller or his prospective buyer to pay the fees for the percolation test to the Township before the test could be done. Mr. Miller had an agreement prepared and mailed to him by Attorney Gilbert Malone regarding annexing the eight acre tract of this subdivision to the Miller farm which is known as the Rebert farm. Also, the agreement states that Mr. Miller would have only one building lot left on his entire properties. Since Mr. Miller purchased two of the properties referred to by Mr. Malone, since the enactment of the Zoning Ordinance, he questioned using the existings homes on these properties toward his allowed quota of building lots.

Mr. Miller stated he is going to hold off on the proposed subdivision at the present time. The Board wishes to take up this matter with the Planning Commission and Atty. Malone at the July 26th meeting.

Mahlon Stambaugh reported that Larry White has no place to install a new septic system without buying some adjoining acreage from Mr. Thomas. Mr. White reports that he is unable financially to purchase this additional land for the sum of \$5,000 for 1/2 acre. Mr. Stambaugh stated that the only other alternative for Mr. White is to install a holding tank.

Mahlon Stambaugh asked the Board to instruct Solicitor Sechrist to send letters to Larry White and James Miller, stating that they are in violation of the Sewage Enforcement Ordinance, and must take steps to correct the problem.

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The Board discussed the opinion of Judge Miller in the Hoover/Rodgers case against the Township. Solicitor Sechrist stated that he will not appeal the decision due to his heavy work load and since he feels the cost involved in the appeal could be quite a large expense. Solicitor Sechrist told the Board that if it decided to appeal, Attorney Malone could go ahead with the case.

Larry Luckenbaugh made a motion to appeal the decision of Judge John Miller in the Hoover/Rodgers case to the Commonwealth Court only with Attorney Malone filing the appeal and following through with the case. Charles Wehrly seconded this motion. This motion passed.

Leroy Thoman made a motion for the solicitor to advertise a public hearing to be held Wednesday, August 8, 1984 at 7 P.M. for the proposed amendment to the Codorus Township Zoning Ordinance concerning set backs and drainage.

The solicitor was instructed to send a letter to Teri Amspacher, R.D. #3, Glen Rock, Pa., asking her to remove the unlicensed junked cars from her property.

Leroy Thoman made a motion to pay bills from the General Fund in the amount of \$2,444.99, checks #1046 through 1051. Larry Luckenbaugh seconded this motion. This motion passed.

The meeting adjourned at 11:45 P.M. on motion of Leroy Thoman and second by Larry Luckenbaugh.

Respectfully submitted,

*Goldie Day*  
Goldie Day, Secretary