

The Codorus Township Planning Commission met on Tuesday, August 19, 2025 at 7:30pm. Planning Commission Members Present were Brenda Miller, Brian Kaltreider, John Amspacher, and Christine Schwarz. Staff Present were Andy Herrold of MPL Law Firm, Jeff Shue of C.S. Davidson, Megan Harris, Township Secretary/Treasurer. Residents present were Janet Dickie, Tim & Lori Shultz, Kate Holcomb, Tara Welsh, Kimberly Roberts, Steve & Carolyn Bupp, and Jason Gross. Professionals Present were Ryan Hollar of Hanover Land Services representing John Esh.

1. The Meeting was Called to Order and opened with the pledge of allegiance.

2. Review of Previous Meeting Minutes

- Minor correction noted: the name "Bryan" was misspelled with an 'i' instead of a 'y' and the spelling of Ryan Holler's last name was corrected.
- Minutes were approved as corrected.

3. Public Comments on Agenda Items

There was no Public Comment on Agenda Items.

4. Carolyn Bupp: Building Rights & Comment

- **Discussion:** Carolyn raised a question regarding the interpretation of building rights per acreage in the township ordinance, specifically for parcels that are exactly 7 or 30 acres.
- **Concern:** The current ordinance wording is ambiguous, and there is a need for clarification to prevent potential legal disputes from property owners requesting more buildings than allowed.
- **Action:** The issue will be addressed as part of an ongoing review of the township ordinances. A note of the concern was made.

5. John Esh- Buffalo Valley Road- Request for Land Development Plan Waiver

- **Discussion:** A lengthy discussion regarding a proposed new barn on the Esh property. The primary concern is whether the farm's total animal count would classify it as a Concentrated Animal Feeding Operation (CAFO), which would require a land development plan.
- **Key Points:**
 - The proposed new building is for a swine operation.
 - The total number of animals is currently under 300, which does not fall under CAFO regulations.
 - It was confirmed that the animal count for the entire farm, not just the new building, must be considered.
 - Questions were raised about the intent of the new building (e.g., additional sows), the type of building, and water needs, as this information is critical to determining if a land development plan is necessary.
- **Decision:** A motion was made and approved to **table** the matter due to the need for more information.

6. Ken and Kate Holcomb – Johnson Road Subdivision Plan and Planning Module Review

- **Discussion:** The board reviewed the Holcomb subdivision plan, which had been previously divided. The engineer's and planning commission's comments were received, and the required changes (e.g., adding a north arrow, UPI numbers) were made.
- **Key Points:**
 - Owner signatures on the plan are still required as a condition of approval.

- The developers are not submitting a storm water or erosion plan currently, as there are no immediate plans to build on the lots. This will be a separate submission when the permits are pulled to build the home.

- **Decision:**

- A motion was made by Brenda Miller to approve the **sewer planning module** for the Holcomb subdivision and was seconded by . The motion was carried, allowing the Sewage Planning Module to move forward to the Board of Supervisors.
- A motion was made by Christine Schwarz for **conditional approval** of the Holcomb subdivision plan and seconded by Brian Kaltreider. The motion was carried, allowing the subdivision plan to move forward to the Board of Supervisors.

- **Next Steps:**

- The Subdivision plan must be signed and notarized with five copies before going to the Board of Supervisors. The Planning Commission will sign the subdivision plan upon receiving the approval from PA DEP for the Sewage Planning Module.
- A check for \$35 made out to DEP will be required when the Board of Supervisors signs the plan for the Sewage Planning Module to be submitted to DEP.

7. Beth Miller- Sticks Road Subdivision- Sketch Plan for Rural Residential Subdivision

The agenda item for the Beth Miller property was tabled as Ms. Miller was unable to attend the meeting.

8. Public Comments on Non-Agenda Items

Acreage Transfer Process

- Kim Roberts asked a question about the process of buying acreage from a neighbor, specifically if a smaller parcel can buy land from a larger parcel. It was explained that for the transaction to be a simple "transfer of land," the resulting parcel of the buyer must be at least as large as the seller's parcel was *before* the transfer. The transfer would require a survey and plan, classifying it as a subdivision and consolidation. She was advised to consult with the county about potential "clean and green" rollback taxes before proceeding.

Public Rights and Board Transparency

- Carolyn Bupp raised concerns about being threatened with legal action for asking questions about a subdivision plan in a previous meeting and questioned the public's right to comment, ask questions, and review plans that are on the meeting table.

It was stated that while it is appropriate to accept public comments on agenda items, it is not necessarily a question-and-answer session. Legal standing to challenge a board decision is not held by all citizens; it requires being an "aggrieved party." The public does not have the right to get up and review plans on the meeting table unless they are "public."

The meeting was adjourned at 8:04pm.

Respectfully Submitted,

Megan Harris

Secretary/Treasurer