

October 9, 1991

The Codorus Township Board of Supervisors met in regular session on Wednesday, October 9, 1991 at 7:30 P.M. in the Township office. Board members present were: Lamar Glatfelter, Leroy Thoman and Charles Wehrly. Others present were: Solicitor John Herrold, Mahlon Stambaugh, Larry Lucabaugh,, Harvey Hoffman, James Bailey, Rick Sechrist, Leo Houser, Mr. & Mrs. George Grimm, Julia Townsend, William Wilson, Sr., William Wilson, Jr. and Jeff Wilson, Timothy Moran.

Chairman Glatfelter called the meeting to order with the Pledge.

The minutes were approved as written.

Leo Houser was present regarding the water problem at the Friendship School. Mr. Houser stated that the ponds at the site have not been changed but that the stone along the ditch had been cemented in. He is hoping that the school engineer can come up with a solution to the problem and will be in touch with the Board on any new developments.

Mr. & Mrs. George Grimm and Timothy Moran were here regarding the small barn on the Michael & Trudy Jones property that is in violation of the setback regulations of the zoning ordinance. They wanted to know what had been accomplished since the September 11th meeting.

Solicitor Herrold reported that he had sent certified letters to Mr. & Mrs. Jones and also to Mr. & Mrs. Donald Wilhelm. He received the return receipt card back from the Wilhelms, but not the one from the Joneses. He did also send the same letters to both parties by regular mail. He feels that the Jones have failed to pick up the certified letter at the post office. Mr. & Mrs. Grimm say the barn has not been removed. The Board told Mr. & Mrs. Grimm that a little more time will be given the Joneses before civil proceedings are filed against them.

Larry Lucabaugh was present regarding a letter dated October 4, 1991 that he sent to the Board. In this letter Mr. Lucabaugh referred to the James & Doris Miller subdivision plan and also to the James & Jean Holley subdivision plans that were approved by the Planning Commission on September 26th. Mr. Lucabaugh states in his letter that these two plans contain larger lots than allowed by the Codorus Township Zoning Ordinance. In his letter, Mr. Lucabaugh asked the Supervisors to deny approval of the above two plans as presented until the plans are brought into compliance with the Zoning Ordinance.

Mr. Lucabaugh stated that he had been contacted by the owner of an 80 acre farm in the Township on which no building rights have been used. He wanted to know if this owner could sell a five acre lot for residential purposes. He would not divulge the name of the owner of this property.

Solicitor Herrold told Mr. Lucabaugh that the Board was not going to pass upon hypothetical questions. He should present the plan to the Planning Commission and then present the plan to the Supervisors. The Township has been approving some larger lots with more than an acre.

Solicitor Herrold asked for any comments from the Supervisors on Larry Lucabaugh's request. Chairman Glatfelter stated that his only comment was "Submit a Plan".

Mahlon Stambaugh gave the report of Sewage Permits issued during the past month. He reported that he is having problems with the sites of some percolation tests being disturbed and wanted to know if the Board would back him in requiring the subdivider to stake off and protect the site from being disturbed. The Board made no decision on this, but asked Mr. Stambaugh if he could prepare some type of paper to give to the applicants regarding protecting the sites.

William Wilson, Jr. was present at the request of Zoning Officer Rappoldt. Mr. Wilson owns a property along Messersmith Road where he works on cars, etc. He has junked cars, unlicensed cars and other auto parts over the property. Mr. Rappoldt says this problem is getting worse all the time. Mr. Rappoldt wanted Mr. Wilson to talk to the Board regarding this problem. The Board told Mr. Wilson that no more than two unlicensed motor vehicles are allowed on a property. Since Mr. Wilson does not have a junk yard license he is in violation of Township ordinances. Solicitor Herrold told him that the Township could start an enforcement against him and it would be up to the magistrate to decide if he is in violation. Jeff Wilson, brother of William, Jr. stated that he doesn't consider auto parts junk since they are a part of their business. Copies of the Township Junk Yard Ordinance will be given to both the Wilsons by the Township Secretary.

Leroy Thoman told Mr. Wilson that he is also putting used motor oils on the road which is in violation of State Department of Environmental Resources regulations, and that they could be in trouble if D.E.R. finds this out.

Harvey Hoffman stated that he owns two lots along Rt. 851. Both lots total approximately two acres. His home is on one lot and the other one acre lot was purchased separately and is deeded separately. He wanted to know why he had been turned down in the past when he wanted to use the vacant one acre lot for his daughter to build a house. He was told by the Board that when the Zoning Ordinance was enacted in 1974, that all land owned by one person at that date became contiguous for the purpose of establishing the quota for each landowner. His two lots are less than seven acres and carry only one building right. Mr. Hoffman thinks this is a flimsy excuse.

Larry Lucabaugh asked the Board if it would consider changing the contiguous tract portion of the Ordinance. The Board told Mr. Lucabaugh that this has been considered and discussed but the Planning Commission has been against this change, so no action was taken. Both Lamar Glatfelter and Charles Wehrly stated they are not in agreement with the contiguous tract portion of the Ordinance.

Julia Townsend asked the Board how the Zoning Ordinance could be changed. The Solicitor told her the steps to take to request a change through the Zoning Hearing Board and that it would be up to the Zoning Hearing Board to approve or deny the change.



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Township Tax Collector, Ruth Baer, was present regarding an ordinance that would allow the Tax Collector to charge for tax certifications. Solicitor Herrold will look into this matter and report back to the Board at the November meeting. The Pennsylvania Tax Law does not provide for this charge.

Solicitor Herrold reported that he is working on a proposed ordinance on Storm Water Management.

The bills were presented to the Board.

Charles Wehrly made a motion to pay the bills, seconded by Leroy Thoman. This motion passed.

The meeting adjourned at 9:30 P.M. on motion by Leroy Thoman and second by Lamar Glatfelter.

Respectfully submitted,

*Goldie Day*

Goldie Day, Secretary