

February 5, 1998

The Codorus Township Board of Supervisors met in regular session on February 5, 1998 at 7:30 P.M. in the Township office. Board members present were Lamar Glatfelter, Brian Baer and Goldie Day. Others present were: Gordon Shive, Charles Dyer, Marsha McKnight, Charles Wheat, Doug Crawford, Irvin Rappoldt, April Rehbein, Charles W. Van Scoyoc, Mr & Mrs. Charles S. Van Scoyoc, Debra Swaim, Charles Aiken, Roy Steinberg, Margaret Traas, Sandra Hartlaub, Dean Beard, Tim Steger, Mr. Buhl from Don Worley's office, Paige Reed and April Frederici, John Kovach and Robert Finke.

Chairman Glatfelter called the meeting to order with the Pledge.

The minutes were approved with one correction. On page 2, line 4 should read Section 632 instead of Section 32.

Irvin Rappoldt reported that no building permits were issued during the month of January. He read a cease & desist order that he had mailed to Paige Reed, owner of Fireworks Productions, Inc. and to William Peters of Chilcoat & Peters.

The final plan of the 2-lot subdivision of Charles & Pearl Dyer was presented to the Board.

Goldie Day made a motion to approve the Dyer plan, seconded by Brian Baer. This motion carried.

Douglas Crawford presented the 2-lot subdivision plan of the Gordon & Dianna Shive property, along with an agreement to transfer this lot. Brian Baer made a motion to approve the Gordon & Dianna Shive subdivision plan and to authorize the Chairman to sign the agreement. Lamar Glatfelter seconded this motion. This motion carried and the plan and agreement were signed.

Douglas Crawford presented the Dean Beard 2-lot subdivision plan. Goldie Day made a motion to approve the Beard plan, seconded by Brian Baer. This motion carried.

Several residents were present with concerns about the Fireworks Production, Inc. property.

Charles S. Van Scoyoc wanted to know why Paige Reed was allowed to operate a commercial business in an agricultural zone. This business is using up farm land which the Township is trying to preserve. He is also concerned that if there is an accident and the business blows up, the owner will not be there.

Mrs. Debra Swaim, an adjoining property owner said that Mr. Reed did not buy the property with the intention of farming. She said Mr. Reed has total disregard for people living in the area. At times there are 30-40 trucks coming in and out of the property. These trucks park on both sides of Greemount Church Road, leaving only a one-way lane for traffic using the road.

When a resident asked why the Fireworks Production, Inc. is allowed to operate in an agricultural zone, Chairman Glatfelter said that the business had started up before the Township was aware of

February 5, 1998

Page 2

what was going on. Upon learning of this business the Township adopted an ordinance making the Storage of black powder, high & low explosives a permitted use in the Agricultural zone.

Mr. Paige Reed stated that he purchased the property in 1989 with the intent to retire, but about this time he lost his Government job and since he had fireworks for a hobby, he decided to open the business

He said he didn't know that he needed approval from the Township. He went to the Fire Departments, thinking this was the only notification needed.

He stated that he has no fireworks in the Morton building, only equipment used in putting on the fireworks displays. He has fireworks stored in the containers (shipping containers) and was directed by the ATF to meet the distances required between containers. He is not expanding the business. The last time the business was expanded was in 1994. Also, the business is inspected twice a year by the ATF.

Mr. Reed stated that the fireworks are not manufactured at the property, the fireworks are assembled at the property. He was told by the ATF not to advertise the business when asked why he didn't have signs posted. Mr. Reed said there is no danger involved in what they are doing, there are no explosives - only fireworks.

Mrs. Swaim said she wanted the Fireworks business shut down.

Mr. Reed said the Charles S. Van Scoyoc home is 490 ft. from the occupied buildings on the Fireworks property.

Mr. Reed stated that he doesn't want to put neighbors or his tenant in danger. His company trains members of the Maryland State Fire Marshal's office. He would be willing to have his safety trainer hold a training session for Township residents.

When asked about the tractor trailer drivers, April Frederici said they have no control over commercial drivers that make deliveries to the property.

Mr. Reed did say that just before the Fourth of July, they have all these rental trucks loading fireworks to take to carnivals, etc. He will again warn these drivers to slow down. He has warned them to obey the 30-mile per hour speed limit.

Mr. Reed was told by the ATF to have more space between the containers. This is the reason he planned to lease an acre from Dale Peters. He now has 6 containers in use, plus one not in use. When he got his permit in 1990 he had only 4 containers. Irvin Rappoldt told him that he needs a building permit for these containers since they are considered to be buildings.

According to Mr. Reed he has 50,000 lbs. of fireworks stored on the property at present, but if he moves onto the adjacent ground, he could store 70,000 lbs.

Chairman Glatfelter told Mr. Reed that when he applied for a permit to the Township for the Morton Building Mr. Reed said he hoped he could remove some of the containers. But since that time he has two more containers and seems to be expanding the business.

Lamar Glatfelter told Mr. Reed that the license issued to him each year is only for his property and not for the property of someone else. Lamar said he doesn't feel that the license should be renewed until this matter is settled.

April Frederici hand delivered the required permits and insurance certificate to the Township secretary. The \$100.00 fee had been paid to the Township on January 5, 1998.

Paige Reed wanted to know what he can do to satisfy the Township. He was told that one thing would be to get permits for all the containers that permits were not applied for previously.

Mr. Reed said that by shutting down the fireworks business, his means of livelihood would be taken away.

Charles Van Scoyco asked if he would be able to build a house on the Chilcoat & Peters farm. He feels that they are tearing up good agricultural land.

Margaret Traas also spoke against the fireworks business and all the problems caused when all the Ryder trucks are loading fireworks.

Sandra Hartlaub asked Mr. Reed if there was anything he could to explain his business to the residents by getting some kind of notice out to them.

According to Mr. Reed he puts on 72 shows on July 4th. This is the time the trucks are being loaded. He is at the property when the loading takes place. During the year he does approximately 130 shows and doesn't intend to get any bigger.

Mr. Charles Aiken asked Mr. Reed if there was anything to the rumor that he had contacted Arthur Hufnagel about leasing some land from him. Mr. Reed said he knew nothing of this.

Roy Steinberg asked Mr. Reed if its easier to have a fireworks business in PA or Maryland. Mr. Reed said he would prefer to have the business in Maryland.

The Board of Supervisors announced that an ordinance to amend the Zoning Ordinance has been prepared by the Planning Commission and Solicitor Malone. This amendment would require that

February 5, 1998

Page 4

any future use and storage of black powder, low & high explosives would be allowed in the Agricultural District by Special Exception only. This amendment would not apply to the Fireworks Productions, Inc. now operated on the Paige Reed farm.

There were other comments from residents - all with concerns regarding the fireworks business.

Brian Baer made a motion to approve the Proposed Amendment to the Codorus Township Zoning Ordinance for advertising. Lamar Glatfelter seconded this motion. This motion carried.

Sandra Hartlaub, the new tax collector, asked if the Board would be willing to assist her in paying \$1,000. for a software package that would help her in tax collection and also be shared with the Township. This software package was put together in 1987 by Mark Derr and has been updated to the present.

The Board told Sandra that it would like to know more about the specifics of the software and future costs before giving her an answer.

Timothy Steger gave the roadmaster report for January. He reported that the large tree on Shaffer Road has been taken down; that nothing has been done with the dry hydrants.

Tim also reported that Harry Brose of Roadite, Inc. will be here on February 6 to do an estimate of the cost for motor paving Sportsman's Club Road and Narrow Gauge Road.

There was some discussion regarding using liquid calcium on dirt roads. Tim will get more information on this.

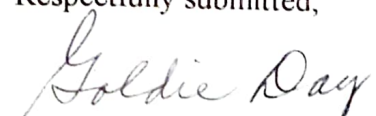
Goldie Day made a motion to issue a junk yard renewal license to Ed Lucke, seconded by Brian Baer. This motion carried.

The bills were presented to the board. Lamar Glatfelter made a motion to pay the bills, seconded by Brian Baer. Motion carried.

The secretary announced that work is to begin on the County Bridge, Pentland Road on June 16 and should be finished by September. This is bridge #150.

The meeting adjourned at 10:00 P.M. on motion by Lamar Glatfelter and seconded by Brian Baer.

Respectfully submitted,

A handwritten signature in cursive script that reads "Goldie Day".

Goldie Day, Secretary