

March 11, 1998

The Codorus Township Board of Supervisors met in regular session on March 11, 1998 at 7:30 P.M. Board members present were: Lamar Glatfelter, Brian Baer and Goldie Day. Others present were Solicitor John Herrold, Robert Finke, Rick Sechrist, Marsha McKnight, Charles Wheat, Roy Lovell, Mr. & Mrs. Lasher, Mr. & Mrs. Charles E. Van Scoyoc, Dennis Coster and Rob Wood.

Chairman Glatfelter opened the meeting with the Pledge.

The minutes were approved as written.

A public hearing was held for the proposed amendment to the Codorus Township Zoning Ordinance.

Solicitor Herrold explained the proposed ordinance which makes the Use & Storage of Black Powder, Low & High Explosives a use by Special Exception in the Agricultural District. Presently this is a permitted use.

Comments were received -

Mrs. Robert Lasher asked if a Special Exception has a way of saying that we can keep other businesses out of the farm area if the use is not really agricultural business.

Solicitor Herrold answered that there are some permitted uses in the Agricultural District that do not necessarily pertain to Agriculture.

Solicitor Herrold went on to expand on a Special Exception Hearing that must be held by the Zoning Hearing Board. If an applicant for a hearing meets all the criteria he is entitled to having the Special Exception granted. The hearing is not a popularity contest but a matter of law. The Zoning Hearing Board is a judicial body.

Mrs. Lasher wanted to know who the Zoning Board represents. Solicitor Herrold told her that the Zoning Board is appointed by the Board of Supervisors.

Mrs. Lasher said she had no idea what was going on and didn't know the Fireworks business existed until she questioned the Ryder trucks on Catholic Valley Road. She also wanted to know why the residents were not notified.

Solicitor Herrold stated that the ordinance was advertised, the meetings of the Board of Supervisors were advertised at the beginning of the year as legally required.

Charles Van Scoyoc reported that he had talked to a Springfield Township resident that had a Special Exception hearing in Springfield Township. Because one neighbor spoke

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against the Vineyard as proposed by the applicant, the Zoning Hearing Board turned him down.

Again Solicitor Herrold told the residents that if an applicant meets all the criteria, the Zoning Hearing Board should grant the Special Exception.

After the comment period, Chairman Glatfelter asked for a motion to adopt Ordinance #98-1.

Goldie Day made a motion to adopt Ordinance #98-1, seconded by Brian Baer. This motion passed by unanimous vote.

Charles Wheat had a question about large Waste Management trucks using Sticks School Road. These trucks are hauling waste out of Maryland and use Sticks School Road as a shortcut.

Chairman Glatfelter asked Dennis Coster, President of Fireworks Productions, Inc. why 60,000 - 70,000 lbs. of black powder must be on the Fireworks property at one time. Dennis replied that most of this should be on the property at one time since some of the fireworks comes from U.S. sources and some from the Orient. The materials must be received when the manufacturer is ready to ship.

Lamar wanted to know if they couldn't receive two shipments during the year to cut down on the amount of storage needed at any one time. Dennis Coster said that he wouldn't say that this couldn't be done.

Referring to a letter from Paige Reed dated February 23, 1998 the chairman asked Mr. Coster why four of the container would not be allowed the same amount of storage as the block building. Dennis answered that ATF allows 10,000 lbs. in 2 containers but only 10,000 lbs. in four containers due to the distances. Two of the containers are empty because of ATF distances.

Mr. Coster stated that ATF will soon be coming out with new distances which will allow more storage per container, but they must abide by the present regulations until the new tables are out.

Charles Van Scoyoc stated that he is concerned about the distance from his house to the cinder block building. He doesn't think the distance meets ATF regulations. From his understanding of the distance tables by ATF, a facility must be 2000 ft. from a house. The block building is 1100 ft. from his house. He also said that the DEP agent that inspected the Fireworks property in February told of a building blowing up in Butler. Kids had

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torched this building which blew up with cement blocks that blew 1000 ft., some going into a house

Mr. Coster said he understands that ATF is cutting the distances required between containers; that distances will be cut in half under the new rules. These distances are based on terrain, nearest persons, and other conditions.

Chairman Glatfelter reported that he has asked ATF if an ATF representative would visit the Township to explain the ATF regulations. ATF told Lamar that the only thing an agent would do would be to interpret the regulations.

The board suggested that Fireworks submit a formal application, showing what they have under the old ordinance and what changes they wish to make. Mr. Coster said he could easily spell out the plan on a drawing. A plan is needed for moving the containers around since the containers are to be treated as structures. There was also some discussion about planting trees to shield the business from the Van Scoyoc property and also to reduce the noise.

Jami Van Scoyoc said she wanted to know when the stone pads were going to be removed and when permits were going to be issued for the containers. Irvin Rappoldt stated that he will check his records of permits issued since he believes that some permits were issued for the containers.

Chairman Glatfelter told Mr. Coster that 2 containers may be placed on the hill above the house until the plan is presented. Irvin Rappoldt was told to issue 2 permits for these two containers.

Also Mr. Coster was told that the stone from the two pads should be removed within 60 days.

Rob Wood of Spoutwood Farm was present regarding the list of conditions for the May 2 Festival at the Spoutwood Farm property. Some of the conditions listed in the March 6, 1998 letter mailed to Mr. Wood are too restrictive and expensive according to Mr. Wood. Mr. Wood reported that in the past 2 port-a-pots plus the two stationary bathrooms at the property had done quite well in providing toilet facilities for the festival. He doesn't feel that 1 traffic cop for every 100 tickets sold is reasonable. He has volunteers that provide traffic services.

Mr. Wood doesn't wish to arrange with a neighbor along Pierceville Road for parking due to crops being planted. He will have parking in the field between his house and Rt. 216.

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where parking was provided in the past. He will see that there is an unobstructed entrance for emergency vehicles should there be a need.

After talking with Mr. Wood, the Board decided to change the conditions mailed to him in a letter dated March 6, 1998. These revised conditions are:

- (1) Entrance to the property from SR 0216 is to be used only for emergency vehicles.
- (2) Trees are to be trimmed as needed.
- (3) Mr. Wood will take care of all parking by using his property-parking will on the hill between the Wood residence and Route 0216, plus other areas of the Spoutwood farm.
- (4) One Port-a-Pot will be provided for each 150 tickets sold.
- (5) Volunteers will take care of the parking and traffic. These volunteers must wear orange vests.
- (6) An insurance certificate for at least one million dollars must be furnished to the Township.
- (7) Traffic control is to be provided on Pierceville Road.
- (8) Provide the Township with an accounting of the number of tickets sold.

Mr. Wood and the Board of Supervisors agreed to the above conditions.

The tax collector's report was presented by the secretary.

Solicitor Herrold was asked to check if the tax collector can charge \$10.00 for a tax certification. Our ordinance states a \$5.00 charge for this service.

Brian Baer said that most of the tax collectors that charge \$10.00 for a certification provide both the County/Township and School Tax certification while the Codorus Township tax collector only has to provide certification for the County/Township taxes. The secretary will check other taxing districts to find out what they charge for this service.

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Irvin Rappoldt reported that seven building permits were issued for the month of February.

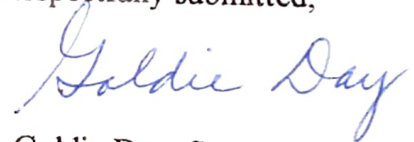
He also reported that a resident on Myers Road wishes to raise snails as a business. This business would be carried on within the residence. The Board asked Irvin to get all the information he can about this business.

The bills were presented for payment.

Lamar Glatfelter made a motion that the bills be paid, seconded by Brian Baer. This motion carried.

The meeting adjourned at 9:30 on motion by Brian Baer and seconded by Lamar Glatfelter.

Respectfully submitted,



Goldie Day, Secretary