

John J. Graybill  
Chairman  
534-2812

Jay M. Brandt  
367-3667

John D. Rochat  
Vice-Chairman  
533-3831

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**CONEWAGO TOWNSHIP  
BOARD OF SUPERVISORS**

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Shirley Bretz  
Township Secretary

Dolores Kuntz  
Assistant Secretary/  
Treasurer

**November 13, 2002**

**BOARD OF SUPERVISORS MINUTES**

The Conewago Township Board of Supervisors held their regular monthly meeting, Wednesday, November 13, 2002. Those present were:

John Graybill	John Rochat	Jay Brandt
Dolores Kuntz	Shirley Bretz	Jon Yost
Max Shradley	Frank Chlebnikow	Tom Rumpf, The Sun
Rosalie Sarfert	Jeff Reitz	Mark Widome
Ruth Siegel	Larry Layman	Kim Bloom, DTMA
Joel Buckley	Lt. Cheryl Heath, State	
Ken Ulrich & Family	Trooper	

The meeting was called to order by Chairman, John Graybill at 7:30 P.M.

**MINUTES - October 9, 2002** - A motion by Rochat, second by Graybill to approve the October 9, 2002 minutes as submitted. Motion carried.

**MINUTES - November 6, 2002** - A motion by Rochat, second by Graybill to approve the minutes of special meeting for proposed budget for 2003. Motion carried.

**TREASURER'S REPORT - October 31, 2002** - A motion by Rochat, second by Brandt to approve the Treasurer's Report dated October 31, 2002 subject to audit. Motion carried.

**EXPENDITURE REPORT - November 13, 2002** - A motion by Rochat, second by Brandt to approve the expenditure report dated November 13, 2002 in the amount of \$54,794.70. Motion carried.

**SUBDIVISION/ENGINEERING FEES & PLAN STATUS REPORTS** - Billing all up-to-date. Nothing to report.

**PLANNING COMMISSION MINUTES - October 28, 2002** - For review only.

**PUBLIC COMMENTS: Lt. Cheryl Heath, State Police, Troop H** - The Captain of Troop H pledged to have an officer attend township meeting each month for the Capital Area they cover. They will answer any questions or concerns the township may have. Rochat mentioned back in March the state trooper said there were 17 accidents in the township on Route 743 and some were fatal. We ask for radar enforcement and have visibly seen state police on duty in last month. How difficult would it be to get more patrol in the township and a monthly list of citations issued. Lt. Heath said she will follow-up on concerns and if anything needs addressed before next meeting, please call them.

**PUBLIC COMMENTS. Continued - Tim & Deb. Jelliff, 1323 Mapledale Road.** Elizabethtown. Barking dog complaint - The Jelliffs complained about their neighbors (**Ken Ulrich, 1321 Mapledale Rd.**) barking dogs. Mr. Ulrich wanted to know, if anything is happening with Jelliffs. The township did not have any complaints from neighbors. Mr. Ulrich is keeping the dogs inside, so the zoning officer told him to keep doing what he is. If any complaints come to the township office the zoning officer will call Mr. Ulrich and discuss the complaint with him.  
Mr. Ulrich showed concern on Mapledale Road to Koser Rd. - This is large neighborhood with lots of children. Is it possible to put signs, "Slow Down", Children at Play, to slow down vehicles.

**PROPERTY MAINTENANCE CODE** -The solicitor is still working on finalizing a Property Maintenance Code and Dangerous Structures Ordinance which will be combined into an Ordinance for Conewago Twp.

**ACT 537 - STATUS REPORT** - Kim Bloom, DTMA reported they are still working on right-of-way documents. This is going slower than they had hoped and if they don't come to a resolution soon, they will have to go into condemnation for them. DTMA is hoping to have right-of-ways finished by December 31, and would like to award bids January-February. DTMA sent a Draft Agreement to Conewago Township Solicitor as well as Derry Township Solicitor. Something for the Board to think about - when DTMA does inspection for sewage the homeowner gets a permit and states what plumber will be doing the work. DTMA will inspect sewage lines outside the home from the main line and make sure it's installed properly and inside the home make sure all bathrooms, sump pumps, etc. are connected. Do we have an inside home inspector for plumbing - who would go into home and make sure proper pipes and fittings meet codes. The homeowner would apply for building permit from Conewago Twp., if they are changing inside work.  
Conewago

**ACT 537 - STATUS REPORT. Continued** - Twp. does initial zoning review, but we have no code enforcement. There is a statewide building code which all municipalities will have to comply with.

Kim Bloom received calls from some one wanting to buy a property, that thinks the septic system needs to be replaced. She asked if we have a sewage enforcement officer. Our SEO issues sewage permits, but the homeowner hires their own excavator. The SEO does not do the inspection, but we have a list from Act 537 of certified inspectors.

**OLDS MANAGEMENT PROGRAM - Reminders for Area 3 - Year 2002** – Nothing much to report, except entering information as it comes in mail. **Area 2 -Year 2001.** We still have 10 residents who have not responded to reminders for Inspection/Pumping Reports, which were due end of 2001. The solicitor will send letters for those residents to the District Justice. Notices will be send to residences that were required to pump 2002, notifying them of pumping requirements every three years. Reminder letters will be sent January, 2003 for those people who didn't comply for Area 2, 2002. Also, letters will be send to any new homes that were exempt, reminding them when an inspection is due and when a pumping is due.

**LOWER DAUPHIN REGIONAL PLANNING COMMITTEE:** There was a public meeting on October 23, 2002 at 7:00 P.M. at Lower Dauphin Middle School. They proposed a comprehensive plan which increased 1100 agriculture acres in four municipalities and reduced residential by the same amount. There is a map available to look at if anyone is interested.

**HERTZLER/MT. CALVARY CHURCH - Final Subdivision Plan** - The Hertzler/Mt. Calvary Church Final Subdivision Plan was initially reviewed at the October 28, 2002 Planning Commission meeting. The plan has been reviewed under Conewago Township Code of Ordinances, Ordinance No. 1997-1, dated January 6, 1997, as amended. The second submission has a revision date of November 6, 2002. The following comments are offered based on our review. The status of the original review comments is noted following each comment.

**SUBDIVISION AND LAND DEVELOPMENT - CHAPTER 22**

Preliminary Plan Waivers Requested

1. Waiver of the Preliminary Plan Submission, Section 403.1 must be granted by the Board of Supervisors prior to approval of the plan. **Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting.**
2. 407.1.A.(14) - Contours of the property should be shown unless the written waiver is granted. Suggest that the approximate contours from a USGS map be shown to convey general direction of drainage. **COMPLETED**

**Hertzler/Mt. Calvary Church Final Subdivision Plan. Continued**

3. 407.1.A.(17) - Erosion and sedimentation plan approval from the Dauphin County Conservation District should receive prior to final approval or the requested waiver approved. **Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting.**
4. 407.1.A.(20)(i) - A waiver has been requested from the submission of storm water management plan since no construction is proposed. **Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting**
5. 405.11 - A waiver has been requested from providing physical features for the remainder of Lot No. 1, since all buildings are shown on the plan. **Planning Commission Recommended Approval of the waiver at the October 28, 2002 meeting.** Lot No. 1 will remain agriculture.

A motion by Rochat to grant waivers 1, 3, 4, and 5 as submitted. Second by Graybill.  
Motion carried.

**Review Items**

6. 407.1.A.(1) - Primary control point should be shown. **COMPLETED**
7. 407.1.A.(3) - Survey Monuments and markers shall be shown. Show Iron Pin on the southwestern corner of Lot No. 2 on the northern right-of-way line of South Hertzler Road. **COMPLETED**
8. 407.1.A.(5) and (6) - The certification of title and the dedication of right-of-way must be signed and notarized. **REMAINS TO BE ADDRESSED**
9. 407.1.A.(18)(b) - Note requiring approval of driveway permit from the Township should be shown on the plan along with available and required sight distances for Lot No.2. **COMPLETED**
10. 407.1.A.(19) - Signature blocks for municipal officials should be revised to indicate Board of Supervisors to be signed by the Chairman, not the President. **REMAINS TO BE ADDRESSED**
11. 407.1.A.(20)(f) - A copy of the Department of Environmental Protection planning module approval must be submitted or the exemption approved by the Township SEO. **REMAINS TO BE ADDRESS**

**ZONING - CHAPTER 27**

12. Part 13 - The note under the Conewago Township Zoning Data should indicate that the Off-street Parking shall be in accordance with the requirements of Chapter 27, Part 13 of the Conewago Township Code of Ordinances, Ordinance No. 1997-1, dated January 6, 1997, as amended. **COMPLETED**

**Hertzler/Mt. Calvary Church Final Subdivision Plan. Continued -  
GENERAL COMMENTS**

13. A letter from Londonderry Township indicating that their Board of Supervisors approves the plan or that they have waived their review of the plan, should be received prior to final approval of the plan. **REMAINS TO BE ADDRESS**
14. A note should be added to clearly indicate that the owners of Lot. No.2 will need to submit a land development plan to construct any building, create any sports fields, or other earth moving activities. **COMPLETED**
15. Remove the "Preliminary" from the title of the plan. **REMAINS TO BE ADDRESSED**

The comments for waivers from Dauphin County was, Need signatures, E & S Approval, Planning Module, Stormwater Management. Their final comments were all waivers seem to appear to be reasonable.

**MANLEY & EVELYN LAYMAN - Updated Subdivision Plan** - Because of unusual circumstances, the Planning Commission needs the supervisors input, and also directed the solicitor to instruct the applicant how to proceed with the revised subdivision and attach an agreement with the lot line correction. Lot No. 1 is owned by Manley Layman, and Lot No. 2 is owned by his granddaughter. The Planning Commission did not have a problem with the Plan if the solicitor was satisfied. Mr. Robert Sherrick, Surveyor will do a revised plan with new dates and condition of recording of new deeds. The Layman's, Attorney Julie Cooper will draft new deeds and our solicitor will have everything recorded at same time. Motion made by Brandt to approve a revised plan and recording of new deeds that are satisfactory to our solicitor. Second by Rochat. Motion carried.

**SEXUALLY ORIENTED BUSINESS (SOB) ORDINANCE** - Rochat ask the zoning officer if sexually oriented business ordinance also include the industrial district. The zoning officer will update this ordinance at next meeting.

John Rochat ask again that the following ordinance items be reviewed and followed through for next meeting for developing subdivisions for future purposes. It was agreed by Zoning Officer and Engineer to make recommendation to Board:

1. Review ordinance on pipes, possibly to require concrete pipes.
2. Review Sidewalks & Curbing, compare our ordinance to PENNDOT's requirements for exterior roads.

**SEXUALLY ORIENTED BUSINESS (SOB) ORDINANCE, Continued**

3. Review Sidewalks & Curbing within development regarding that the property owners maintain them.
4. Review Street Cut.
5. Review Road Occupancy
6. Recreational Parks - Park Plan for township for either private or public park. Motion by Rochat to draft Park Plan. Second by Graybill. Motion carried.
7. The township engineer added comparing PENNDOT's to Township paving..

**PSAT NEWSLETTER - Senate Bill 1413 - Association Pursues Amendments to Farming Operations Bill -**

In reference to a letter the BOS received from a concerned citizen because their son died from sludge being dumped openly. PSAT's is pursuing this bill and the first amendment would alter the preamble of the bill to reaffirm the right-to-farm doctrine and to declare the act's purpose to clarify the relationship between farmer's rights and the regulatory powers of local government. The second amendment would clarify that application of sewage sludge or biosolids is NOT a "normal farming operation. It should be noted that the current law is not clear about whether townships may regulate the application of sewage sludge in their communities. As it stands now, anyone who wants to apply sludge or biosolids must obtain an application from the state Department of Environmental Protect. The final amendment would clarify the penalty section by declaring that all ordinances challenged under this act are presumed to be adopted in good faith. The Association is strongly encouraging its members to contact their state representatives immediately and urge them to oppose S.B. 1413. This legislation is on the fast track and is strongly supported by the fanning community.

**Act 100 Open Record Policy** - PSAT's Newsletter contained a copy of sample of "Open Records Policy". The solicitor will check our policy and charges for copies of records to see if policy is up-to-date with their Act 100.

Motion by Graybill to adjourn meeting 8:50 PM, second by Rochat. Motion carried.

Submitted by,

Shirley Bretz  
Township Secretary

**Notes:** *Conewago Online* is not affiliated with the township government.  
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Revised: 01/26/2006 11:00 am.