

John J. Graybill
Chairman
534-2812

Jay M. Brandt
367-3667

John D. Rochat
Vice-Chairman
533-3831

**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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Shirley Bretz
Township Secretary

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Assistant Secretary/
Treasurer

May 14, 2003

BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular meeting, Wednesday, May 14, 2003. Those present were:

John Graybill	John Rochat	Jay Brandt
Shirley Bretz	Jon Yost	Frank Chlebnikow
Kim Bloom, DTMA	Alvin McCorkle	Jeanette Vozzella
James McCorkle	Mabel McCorkle	Sue Knott
Ronald Knott	Tom Rumpf, The Sun	Michele Krick
Michael Krick	John Masino	James Garling, URS
Rosalie Sarfert	Russell McIntosh	Cathy Scott
Todd Kreiser	Greg Hill, Keystone	Joel Buckley
Gary Burk	Gerritt Betz	Kent Bachmann

The meeting was called to order by Chairman Graybill at 7:30 PM.

MINUTES OF APRIL 9, 2003 – Motion By Rochat second by Graybill to approve the April 9, 2003 minutes as submitted. Motion carried.

TREASURER’S REPORT – APRIL 30, 2003 – Motion by Brandt second by Graybill to approve the Treasurer’s Report dated April 30, 2003, subject to audit. Motion carried.

EXPENDITURES REPORTS – May 14, 2003 – Motion by Rochat second by Graybill to approve the expenditure report dated May 14, 2003 in the amount of \$28,186.41. Motion carried.

SUBDIVISION/ENGINEERING FEES & STATUS REPORTS - Billing all up-to-date

PLANNING COMMISSION MINUTES – April 28, 2003 – For review only.

PUBLIC COMMENTS – RON KNOTT/MCCORKLE PROPERTY (22-9-41) – The Knott’s bought a parcel of woodland in October, 2002. At March, 2002 Board of Supervisors Meeting they were told there would be a resolution in four weeks. In November, 2002, the township sent a letter threatening legal action for violation of Subdivision of Land Development Law. Since that time the sellers attorney has sent several written communications to the township with no response. The McCorkle’s family has been working with the township for a reasonable agreement. There was no intent to violate any township ordinances. The Knott’s obtained written material from local government commission, which contains legal definition of a subdivision. as “the division of a lot, tract, parcel or creation of a new property line. They are here to respectfully ask for resolution to enact their plans to build their home, which they own by law, have a history and sentimental attachment to. The solicitor responded by saying he is not going to get into legal issues, but wants to clear the record. The solicitor had at least 7 or 8 phone calls with Gary James, so to say we didn’t respond to letters is inaccurate. The delay in March was because Mr. James suggested the solicitor talk to the tax assessment office, which he did on three different occasions. There was no additional information available from the tax assessment office. The township has been trying to get information on this parcel for some time, so there was no inaction or lack of effort on the our part. The solicitor will not discuss legal matters in a public meeting, and is requesting the Board meets, when this meeting is concluded, and than we will have a sense of direction, one way or other for you.

SIGNS – There were two political signs posted on township property. There should not be any political signs posted on township property other than the day of election, 10 feet from polling entrance. The Board will have signs removed from township property

PENNVEST UPDATE – Russell McIntosh of Herbert Rowland & Grubic is preparing a PENNVEST application with the help of our engineer and solicitor. He supplied the solicitor with standard documents to review regarding letter of responsibility and also to retain a certified public accountants if needed. At this meeting action needs to be taken to retain a certified public accountant as needed and authorize filing of the application and designate an official to sign the application, which is due to PENNVEST May 21, for their meeting to be held on July 23, 2003. A letter of responsibility pertaining to payback amount and copies of financial statements and budget for three years are needed with application. Motion by Graybill second by Rochat to adopt Resolution 2003-2 pertaining to letter of responsibility and application for Financial Assistance in the amount of \$4,750,000.

‘RESOLVED, that the board of Supervisors of the Township of Conewago, Dauphin County (the governing Body) shall be, and the same hereby are authorized to submit a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST), substantially in the form presented at this meeting for the purpose of partially financing the design of the extension of the sewer system. Appropriate officers of the Governing Body are hereby authorized to execute all certification and documentation required in connection with the application.

PENNVEST UPDATE, Continued

Motion by Graybill second by Roachat to retain Diana M. Reed & Associates, P.C. on an as needed basis as accountants for the township at \$100.00 per hour.

PROPERTY MAINTENANCE ORDINANCE – The solicitor said the property maintenance ordinance is not at top of agenda right now.

DTMA STATUS REPORT – Kim Bloom reported she had two letters (1) update of sewer extension project and (2) Conewago Place Renovations and Addition. The Conewago Place renovation and addition states if you approve the plan tonight that it be contingent to receiving the report from them and requires a letter from DTMA for 1,540 gpd of capacity for the referenced project from URS Corporation referencing that capacity is available to receive and treat sewage flows from the proposed project and that the additional waste load of 1,540 gpd will not create a hydraulics or an organize overload or a five year projected overload in the facility.

Sewer Extension – The official Notice to Proceed was issued with an effective date of April 28, 2003. The contract period is 540 days for substantial completion which takes us to October 18, 2004. Mazzuca and Buchart Horn have established field offices on a vacant lot on Church Road just north of the intersection with Roundtop Road. Actual construction will begin next Monday, May 19, 2003 on a portion of Derry Township sewers which was required to be completed first. In mid-June the contractor plans to move to the Laurel Woods area and install sewers on Azalea Drive and the southern ends of Primrose, Woodbine, and Dogwood Drives. This is as much of the construction schedule that we presently have available. The contractor moved into 2932 Church Road, owned by Jeff Budgeon. Kim Bloom is preparing the Temporary Building & Driveway Permit for Mazzuca Construction site, Motion by Roachat second by Graybill to grant a Temporary Building Permit and Driveway permit subject to zoning review and also waive all fees for permits. Motion carried.

There will be no connections until lines are all operational, which means Roundtop Pump Station lines up to Sandhill Rd. Newsletters will be sent May 17-18, 2003 when construction will be in your area.

OLDS MANAGEMENT PROGRAM – The engineer had letters and envelopes printed for **2003 Pumping Reports** due. There were 584 letters: 100 resident have already pumped and a Bulk Mailing of 484 was mailed the week of May 19, 2003. **Year 2002** – There are less than 10 residents who have not complied with their Inspection & Pumping Reports. Since there are only a couple, the secretary will do a follow up phone call to finish this year with their reports.

ADVENTURE SPORTS – CHILDREN’S MIRACLE NETWORK – CORN MAZE – The corn maze would be located on a 10-acre parcel of the Evangelical Free Church of Hershey property. The leased parcel would adjoin the North side of the Adventure Sports property. The corn maze is an agriculturally oriented use on farms throughout the state and country. The corn will then be harvested. The proceeds from admissions will be donated to the Children’s Miracle Network. There will be no permanent structures in the field and all access and parking will be on the Adventure Sports property. The maze is conducted during the off peak season for Adventure Sports, so more than adequate parking is available during this time. A motion by Rochat second by Graybill to grant a temporary permit starting August 1 to November 15, 2003 and waive fees for the Corn Maze, located on Hershey Free Church property and run by Adventure Sports. Greg Hill will be responsible for safe parking and NO parking on shoulder. Motion carried

UPDATE – ENGINEER, JAY ZIEGLER & SHELLEY PROPERTY - The zoning officer represented the engineer regarding that he tried several times to contact DEP pertaining to the fuel spill on Steve Hein’s General Store through Hall’s Explosive onto Mr. Ziegler’s property. No one was available from DEP or returned the calls to the engineers. Mr. Ziegler never returned calls to engineer either. The engineer contacted Mr. Shelly to call DEP for permit requirements for fuel in area and prevention requirements. Mr. Shelly needs: conservation approval, PENNDOT permit, E & S Plan, and another zoning permit.

REAPPOINTMENT OF PLANNING COMMISSION BOARD MEMBER - Terry Whitmeyer, Chairman, April 30, 2003 and David Coble, April 30, 2003) 4 Year Term – Motion by Brandt second by Rochat to appoint Ken Bachmann and reappoint David Coble. Vote –3-0.

JOHN NISSLEY – Letter of Credit Release – Mid-Atlantic Farm Credit – A motion by Brandt second by Rochat to grant approval to release letter of credit to John Nissley, that was required to provide for storm water management. The storm water management has been completed according to the land development plan. Motion carried.

CAMP CONEWAGO SUMMER PROGRAM 2003 – DONATION – Cathy Scott of Conewago PTO stated that Conewago Elementary School PTO is beginning to organize and plan the two-week Summer Recreation Program and camp for the children of Conewago Township. This will be the twelfth year for Camp Conewago! The camp is tentatively scheduled for July 14-25, 2003. They plan to offer a variety of recreation and educational activities to our campers – which may number over 100! Grant budgets are being cut, and they may not receive the grants that have in the past. They have applied for a new grant from Dauphin County Department of Community & Economic Development, which is called Dauphin County Tourism Grant Program, which means DCED will

CAMP CONEWAGO SUMMER PROGRAM, Continued - match funding based on Township's support. They are asking the Township to donate \$2,000 to this camp with hopes that DCED will match that amount for 2003. Motion by Rochat second by Graybill to donate \$2,000 to Camp Conewago Summer Program for 2003. Motion carried.

FRED W. AND GLENDA B. SPEICHER – 2438 Bachmanville Road (22-2-26) Road Separates Parcel – Is (1) parcel, would like to change to (2) parcels – Mr. Speicher inquired about whether or not he needs to submit a subdivision plan or if we would accept a defacto subdivision when a public road splits the land. The planning commission discussion was that anyone who had this special situation of a defacto subdivision would be in their, and the townships best interest to submit a subdivision plan. Special circumstances and waivers could be considered on any such submission on an individual basis, as would be appropriate for that particular submission. This procedure should eliminate any future problems or questions as to what the initial intention was by the owner or township and would be consistent in applying township requirements for land use and development. Motion by Rochat second by Graybill to adopt that no waivers be given for dividing (1) parcel into (2) without a subdivision plan to the township.

THE SALVATION ARMY – PERMISSION TO USE TOWNSHIP SITE FOR CLOTHING CONTAINER – The board wants to table this until next meeting and have a representative explain what size bins, etc. The solicitor said at what point do you provide facilities for non-profit organizations and township should have the option to change or stop use of township as a site at the board's convenience.

BURK– FINAL SUBDIVISION PLAN WAIVER - Final Subdivision Plan, 2840 Chestnut Road, Elizabethtown,, Zoned – Residential Suburban. This parcel is a 4 lot subdivision 1 lot will be an add on to an adjacent landowner, 1 lot with existing home, and 2 lots will be new residential lots along Chestnut Road.

On April 22, 2003, the engineer performed a site visit at the Burk property to review the road widening and other improvement issues for the proposed subdivision of the property. Section 613 of the Subdivision and Land Development Chapter in the Township Code of Ordinances as amended, requires all existing streets to be widened to the requirements of the Township regulations, including the shoulders. Chestnut Road is classified as a collector street. In the case of the Burk subdivision, the required widening on the development's side of the existing roadway would be as follows: Cartway width – 14 feet total width from centerline, shoulders – 6 feet in width. The following items still need to be addressed. 1. DEP Planning Module.; 2. Erosion and Sedimentation Plan approval from Dauphin County Conservation District; 3. A new deed for combined property. 4. DTMA Letter, Service of Capacity. The solicitor suggested that the engineer, roadmaster and Mr. Burk meet at the site to determine transition of roads and resolve this issue. Also need a letter of extension.

CONEWAGO PLACE – Final Land Development Plan (Jim Garling, URS Engineer)

As an agent for Firetree, LTD. the owner of Conewago Place, Mr. Garling is requesting a waiver of Section 1.A (17) of the township Subdivision and Land Development Ordinance, which requires the submission of an erosion and sedimentation control plan. The waiver is requested for the following reasons:

- The amount of disturbance is so small, about one quarter of an acre, well below the threshold for an NPDES Part 2 Permit, which is one acre.
- We show on Sheet 4 of 4 all of the required protection features we plan to install such as a rock construction entrance, silt fence, device details, a narrative and maintenance provisions.
- The letter from Dauphin County Conservation Service in the section “Additional Comments: Item 1 clearly states that an NPDES permit is not required. Sheet 4 of our plan set has the details required by items 2 and 3 of the letter.
- This project is in the middle of their property and will cause no disturbance for any adjacent neighbor.

A motion by Rochat second by Graybill to grant waiver of Section 407.1A (17) of Subdivision and Land Development Ordinance subject to engineers approval and review process of plan. Motion carried.

A motion by Rochat second by Graybill to approve Final Land Development Plan under the conditions of Planning DEP Module approval and any outstanding items needed by DTMA with appropriate documentation. Motion carried

HILLS OF WATERFORD – Final Land Development Plan – Greg Hills of Keystone Customer Homes was here to make sure all conditions are met and the engineer reviewed drawing changes of plan. As a followup Mr. Hill wants to know what else he needs to do: 1. Model Home – Building Permit, No permits issued with exception of Model Home until public water and sewer is available. Notice to proceed was received and sewage permit was issued. Is he able to start Model Home and Driveway yet. The solicitor said the plan did not have to be approved or recorded but he recommended a letter from Hills of Waterford that they are proceeding at their own risk until plan is approved and recorded. 2. Street names and addresses by Elizabethtown Post Office are finished and may require corner lot driveways to change depending where drive is placed in final process. Mr. Hill will check with 911 to make sure the street names etc. are all right. 3. Homeowner Documents needs to be drawn u township solicitor. 4. Sewage Planning Module – Letter of Transmittal and Resolution adopted by Board (township engineer will work with secretary to submit sewage module). A motion by Graybill second by Rochat to submit DEP Sewage Planning Module. Motion carried. Other items needed for final plan are: Final Land Development Plan must be approved by

HILLS OF WATERFORD – Final Land Development Plan, Continued - by Londonderry Twp.: Letter of Credit for Financial Security, Traffic Fees, DTMA Right of Ways, Erosion and Sedimentation was received and township needs a copy; plan needs to be signed by owner.

CONEWAGO WATESHED- Jay Book – Mr. Book reported that the County Watershed Specialist on May 10, 2003 said the streams tested well and that here will be another cleanup in the fall. The next event is May 24, 2003 at 8:00 AM Birdwatching Hike at Lebanon Valley Rails-To-Trails in Colebrook. He said there is a program that allows the watershed to apply for Signs that say Conewago Creek, and that everything is provided, and would ask if the township would install signs if and when they apply.

Motion by Graybill second by Rochat to adjourn at 9:40 PM., and immediately went into an executive session meeting concerning legal matters. Motion carried.

Respectfully submitted,

Shirley A. Bretz
Township Secretary

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