

John J. Graybill  
Chairman

Jay M. Brandt

John D. Rochat  
Vice-Chairman

**CONEWAGO TOWNSHIP  
BOARD OF SUPERVISORS**

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Shirley Bretz  
Township Secretary

Dolores Kuntz  
Assistant Secretary/  
Treasurer

**August 13, 2003**

**BOARD OF SUPERVISORS MINUTES**

The Conewago Township Board of Supervisors held their regular meeting Wednesday, August 13, 2003. Those present were:

John Graybill	John Rochat	Jay Brandt
Shirley Bretz	Dolores Kuntz	Jon Yost
Max Shradley	Rosalie Sarfert	Tom Rumpf, The Sun
Richard Cordero	Scott Nye	Bhunesh Chandra
Kim Bloom, DTMA	Jan Hafer	Pete Czuday
Mark Widome	Ruth Siegel	Chantal Atnip
Andy Wolf	Galen Shelly	Ray Coble, Patriot-News
Ermo Sicher	Ed Kaylor	Tracy Wampler
Steve Barrick	Ben Barrick	Jack Hileman
Ken Bachmann	Chuck Mazzitti	Janice Mazzitti
Joel Buckley		

The meeting was called to order by Chairman Graybill at 7:40 PM, and announced that prior to this meeting the Board held an Executive Session to discuss legal issues.

**MINUTES OF JULY 9, 2003** - Motion by Rochat second by Brandt to approve the minutes as submitted. Motion carried.

**TREASURER'S REPORT - JULY 31, 2003** - Motion by Graybill second by Brandt to approve the Treasurer's Report dated July 31, 2003, subject to audit. Motion carried.

**EXPENDITURE REPORT - AUGUST 13, 2003** - Motion by Graybill second by Brandt to approve the expenditure report dated August 13, 2003 in the amount of \$36,711.43. Motion carried.

**SUBDIVISION/ENGINEERING FEES** - Billing all up-to-date.

**PLANNING COMMISSION MINUTES** - July 28, 2003. - For review only.

**PUBLIC COMMENTS - Joel Buckley** - Wanted to know when BOCA Codes would be effective. The engineer said they would probably go into effect the end of 2003 or spring of 2004. **Andy Wolf** - Asked about the approval for grants for sewage. The solicitor said the Board would vote on PENNVEST offer tonight. There are still some issues regarding additional fees pertaining to PENNVEST financing, because of cheaper money there are other expenses because of local government, bond council and documents. You will know before you need to connect (probably 60 days we will have a figure) but the reduction will be in monthly fee not tapping fee, you can't finance monthly fee. PENNVEST INTEREST RATE IS 1% FOR 20 YEARS - FUNDING 2.843 MILLION - GRANT IS 1.906 MILLION. THE BOARD HAS 30 DAYS TO ACCEPT PENNVEST OFFER. DTMA'S INTEREST RATE IS 4.9% FOR 25 YEARS. Motion by Rochat second by Graybill to authorize the solicitor, to act on behalf of Chairman Graybill to accept the PENNVEST offer. Motion carried.

**PROPERTY MAINTENANCE ORDINANCE - NO ACTIVITY**

**STATUS REPORT - DTMA** - Kim Bloom said contractors are working at top of Church Road to Nye Road. She sent letters saying the contractor plans to finish Church Road to Church Road Pump Station before school starts and will make a cut up Nye Road. Rochat asked if their road crew could check on guardrail on Church Rd. in Derry Township. If there was one it needs to be replaced, and if not there should be one in that area. The manholes are painted with reflective paint.

**OLDS MANAGEMENT PROGRAM** - he secretary told the solicitor that there are around 4 residents who didn't do their inspection/pumping report due in 2001. The secretary will do a follow up call on 22-7-8, Funkhouser says he did it with Walter's Septic system, Anna Gall is repairing her system as soon as Templins's do the work. The secretary will update and give the names to the solicitor who will send a 30 day notice to comply for 2001.

**BRUNESH CHANDRA - Conditional Use Application for Home Occupation**

5016 Ridge Road, Elizabethtown, PA 17022 - Zoning is Residential Country - Tax- Parcel No. 22-5-91 and 92

Mr. Chandra is proposing to operate a part-time Computer Repair Business in the lower level of his present home which is located on Tax Parcel #22-5-91. The Planning Commission recommended allowing the computer repair business based on the Zoning Officer's review of the application. If he chooses to erect a sign (advertising his business and phone number); he will have to meet the sign ordinance requirements. Limited retail sales will be allowed. This application was advertised. A motion by Rochat second by Graybill to grant Conditional Use for his Computer Repair Business. Mr. Chandra will meet the Township Sign Ordinance, limited retail sales, hours 12:00-8:00 PM., seven day a week. Motion carried.

**NOISE ORDINANCE CONCERNS - SCOTT NYE, 3055 STEINRUCK ROAD,  
ELIZABETHTOWN, PA AND NEIGHBORS - STEVE BARRICK & TRACY  
WAMPLER**

Mr. Nye is a resident of Londonderry Township for 10 years and his property is divided between both Londonderry and Conewago Township. His complaint is pertaining to his neighbor's loud motor cross racing motorcycles, and they have constructed a motor cross course complete with jumps in their back yard. The motor cross track is located between his property and upcoming new development The Hills of Waterford. His concern along with many neighbors is not only the noise but also the dust these machines will generate and the quality of life they have grown to appreciate in their peaceful neighborhood.

The neighbors are Tracey Wampler/Scott Barrick and they own five acres of land. Their house is in Londonderry Twp. with the riding area situated in Conewago Township. They have been riding motorcycles in their backyard for over three year, it is not a racetrack, it is a recreational area for the kids to ride (2 to 3 at one time). They have limited riding between noon and 8:30 PM; they limit the riders to keep noise at a respectable level, and have added mulch chips to help elevate the dust. When they purchased this property about four years ago, they spoke with Mr. Nye about their plans for motorcycle riding area in backyard. Mr. Nye himself rides his four-wheeler back and forth on this property and has also taught his girlfriend's son to ride a motorcycle. So you can see why they are confused by this sudden complaint. It was not until recently (7-13-03) when we began to scrape off some grass and use it to build some dirt mounds that this became an issue. They sincerely feel they are making an effort to accommodate neighbors and still be able to enjoy their property.

The zoning officer will review any legal issues or concerns and will respond to both parties with a letter informing them of the results of this complaint.

**ERMO A. & VICTORIA R. SICHER** - The Final subdivision Plan was initially reviewed at the July 28, 2003 Planning Commission meeting. The plan has been reviewed under the Conewago Township Code of Ordinances, Ordinance No. 1997-1, dated January 6, 1997, as amended. The following comments are offered based on the review:

**SUBDIVISION AND LAND DEVELOPMENT - CHAPTER 22**

1. The Board of Supervisors must grant Section 403.1 waiver of the Preliminary Plan Submission, prior to approval of the plan.
2. 407.1.A.(2) - The dedicated and legal right-of-way lines should be shown and labeled on plan. This has been satisfied.
3. 407.1.A.(3) - Survey monuments shall be shown. A minimum of 3 concrete monuments should be set. This is satisfied.
4. 407.1.A.(4) - Seal of the professional certifying the accuracy of the plan should be shown and signed.

**ERMO A. & VICTORIA R. SICHER.** (Continued)

5. 407.1.A.(5) AND (6) - The certification of title and the dedication of rights-of-ways must be signed and notarized. This is satisfied.
6. 407.1.A.(15) - Names of the record owners of the adjoining land should be shown. This is satisfied.
7. 407.1.A.(16) - Reference for recorded subdivision of adjoining platted land should be shown on the plan, including record name, date, and number. This is referenced on the plan.
8. 407.1.A.(17) - Erosion and Sedimentation plan approval from the Dauphin County Conservation District should be received prior to final plan.
9. 407.1.A.(20)(b) - Add cross-section of existing street showing the proposed widening, shoulder, curb, and sidewalk in accordance with Sections 606, 607, and 613. Written request for waivers have been received.
10. 407.1.A.(20)(d) - A letter from DTMA indicating they will supply service needed. A letter from DTMA agreeing to supply service.
11. 407.1.A.(20)(f) - A copy of the Department of Environmental Protection planning module must be submitted to the Township and approved by DEP prior to final plan approval. A copy of planning module is included with this submission.
12. 606 - Curbs are required along all streets. A written request for a waiver has been received.
13. 607 - Sidewalks are required along all streets. A written request for a waiver has been received.
14. 613 - Existing streets shall be widened to the Township requirements, including shoulders. A written request for a waiver has been received.
15. Please show the available and the required sight distances for the driveway. This is on the plan.
16. Show the cross section of the existing 36" concrete pipe at the southern end of Lot No. 1. Show the existing and proposed road widening, shoulder, curb, sidewalk, etc. No comment.
17. If the existing 36" concrete pipe at the southern end of Lot No.1 needs to be extended to accommodate the widening, a permit from DEP will be required. Please submit a copy of the permit application and the permit when issued.
18. The proposed infiltration trench along the driveway of Lot No. 2 should be revised to eliminate the encroachment on the dedicated right-of-way. The infiltration trench along the driveway has been moved from the dedicated right-of-way.
19. The infiltration trench for the driveway should be modified to provide positive means of capture of the runoff from the driveway. Suggest moving the trench 3 to 4 feet from the edge of the driveway and creating a 6 inch sump over the trench. The infiltration along the driveway has been moved and revised to comply with the Engineer's comments.
20. The dimensions for the infiltration trenches on the plan view and in the calculations indicate a depth of stone of 5 feet. The detail shows a total depth of 5 feet to the bottom of the corrected on the plan.

21. Add a note to the plan that all of the downspouts from the dwelling and garage shall be piped to the stone trench and that the owner shall maintain the system as designed. General Note No. 16 has been added to the concerning downspouts.

**WAIVERS** – A motion by Rochat second by Graybill to grant the following waivers:

1. Section 403.1 – Preliminary Plan submission
2. Section 606 - Curbs
3. Section 607 – Sidewalks
4. Section 613 – Existing Street Widening. The street will be widened by about 3 feet to provide a lane width of 14 feet along the entire length of the property. The width of the shoulder will be reviewed by the landowner and the roadmaster. The necessity for shoulder widening will be agreed to by the landowner and the road master and shown on the plan. Note 17 on the plan should indicate that if the roadway needs to be widened in the future, the landowner shall be responsible for the expenses for the removal of all encroachments, including trees, sidewalk, well house, etc., and for the cost to extend the existing culvert. The note shall be approved by the Solicitor.

Motion Carried.

**ACTION:**

Motion by Rochat and second by Graybill to approve the plan with the following conditions:

1. Section 407.1.A.(4) – The seal of the professional surveyor and professional engineer be added to the final plan.
2. Section 407.1.A.(5) & (6) – The plan shall be signed by the owner and notarized.
3. Section 407.1.A.(17) – The plan shall be submitted and approved by the Dauphin County Conservation District.
4. The notes and details as agreed to under the waiver of Section 613 above be added to the plan.
5. Section 407.1.A.(20) – That the Planning Module be approved by DEP.

Motion carried.

Motion by Rochat and second by Graybill to adopt Resolution 2003-4 for the Sicher Planning Module. Motion carried.

**SEXUALLY ORIENTED BUSINESS ORDINANCE** - the Township Engineer drafted a copy of an Ordinance for the Licensing of Adult Book Stores, Sexually Oriented Businesses, Providing for Regulation of Sex Oriented Businesses and Adult Bookstores, Including its Employees, and Providing for Miscellaneous Regulation for Sexually Oriented Businesses and Adult Bookstores, and Providing Penalties for Violations. The planning commission recommends approval of the Ordinance in the Wholesale Manufacturing area of the Township. Rochat asked the engineer and zoning officer to review and revise ordinance with his comments.

**AG SECURITY - Robert Kain, Colebrook Road, Hershey**

Mr. Kain has signed papers to join the Ag Security Area on his farm (Tax Parcel 22-7-10) 61 acres located at 4896 Colebrook Road. At the suggestion of the solicitor, it saves a lot of time to let 6 months pass and it will be added to the list by default.

**QUICKBOOK'S PAYROLL PROGRAM** - The secretary asked for permission to order Quickbook's Payroll Program at a rate of \$1 80.00/yr. A motion by Rochat second by Graybill to order Quickbook's Payroll Program. Motion carried.

**MATT ROYER - CONEWAGO CREEK WATERSHED** - They are in the process of applying for a grant to fund placement of signs at road crossings throughout the Conewago Creek Watershed. The municipality in which the crossing is located is provided with PennDot approved signs. The municipality is then responsible for putting up the signs, and is provided up to \$197. per crossing (two signs per crossing) toward installation costs. The purpose of the signs is to increase awareness of our waterways and promote good stewardship and conservation. A motion by Brandt second by Graybill to give secretary permission to fill out application for Conewago Creek Watershed and we would be responsible for installing 2 signs. Motion carried.

**OPEN RECORDS POLICY** - The solicitor stated we adopted the Open Records Policy through state legislation and the township office has generously honored any request in the past. When individuals come into the township office requesting records we need custodial care of the records in question, so that there is no damage, no modification or no misplaced records. The township secretary is part-time and cannot spend hours with one individual. The requests recently have been time consuming, and the Boards concern is that the secretary needs to get her work done. The Boards desire is to enforce the policy, and it will be the responsibility of the secretary to determine the time needed to retrieve the requested information. After receiving a written request she will than respond within 5 days, and set time aside for the person or have it ready to pick up. A reasonable period of time would be not more than 2 hours/day.

**DTMA MEETING 8-11-03, PERTAINING TO HILLS OF WATERFORD** - The engineer reported that The Hills of Waterford hired a contractor to do their work, realizing they haven't met all requirements for Preliminary Plan. Under NBC they are permitted to do constructions on streets and curbs. Their contractor will be starting in a few days and the engineer will watch closely for a few days to make sure work is being done properly.

A motion by Chairman Graybill to adjourn at 10:10 PM. The next meeting is September 10, 2003.

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.