

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
January 30, 2023 – 7:00 p.m.
MINUTES

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Dr. Larry Cox, at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

PRESENT: Dr. Larry Cox, Chairman
Mario D. Pirritano, Vice Chairman
John W. Jones, Supervisor
Christopher L. Allen, Supervisor
Matthew Cox, Supervisor
Donald F. Martin, Manager
Drew Bitner, Engineer
Davis Holland, Chief of Police
Dave Jones, Stock & Leader, Solicitor
Stephen M. Waller, Codes Administration Director

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS

There was an executive session prior to the meeting to discuss a legal matter.

V. RECOGNITION OF PUBLIC

1. Kay Hayes, 220 Old York Road, asked why the Township installed no parking signs in front of her house and why was she not notified.

Mr Bitner explained that the Township received requests to install no parking signs in this area to deter tractor trailers from parking along side the road, which was creating a dangerous situation as residents could not see oncoming traffic due to the trucks blocking their site distance. Mr Martin stated that as it was an update to the ordinance, it was properly advertised. Dr. Cox asked if the property owners should have been notified. Attorney jones reiterated that it was properly advertised and selecting residents to be individually notified and not others could create additional problems. Discussion ensued on the possibility of parking permits.

2. Karen Cenci, 132 Red Haven Rd., asked if there was anything the Township could do to stop the cable company from digging up their yards and why they weren't required to notify the residents of this activity. Attorney Jones responded that the utilities have an easement and a permit from the Township and are not required to notify the resident if working within the easement and or Right of Way. Dr Cox requested that the ordinance be changed to require utilities to notify residents when working on the easement within their property
3. Candice Crouthomel, 162 Red Haven Rd., asked if the zoning could be changed on the property near her house. Mr. Waller explained a change to the zoning ordinance is a formal process and affected homeowners would receive notice via certified mail as well as the property being posted for a zoning hearing. She also asked what the tractor supply would look like. Mr. Waller stated she could stop in the office to look at the approved plans at any time.
4. Paul DeHart, Rolling Hills Ct. in Newberry Township, introduced himself and stated he would be running for the office of Magisterial District Judge.
5. Jeff Tobias, 1094 Highland Drive, asked for an update on the status of 640 Billet Drive.

Mr. Waller stated that the resident has addressed most of the violations related to his property.

Mr. Tobias also addressed the Police Department about the excessive speeding on Highland Drive by a woman in a black Escalade. He also offered his driveway for the police in order to enforce the speed limit.

VI. AGENDA ITEMS

A. Approval and Appointment - Sergeant:

Mr. Allen made a motion, seconded by Mr. Pirritano to promote Brandon Yeager to the rank of Sergeant effective January 31, 2023 with a base rate at \$104,407.07 in accordance with the Collective Bargaining Agreement.

Vote on the motion: All Yes. The motion carried.

B. The following Interviews were held for a vacancy on the Planning Commission

Ronald Flowers Jr
Robert Kostosky
Victor Piro
Jane Vivier

C. Appeal for the Denial of an Extension Request of the Requirement to Pump a Septic Tank Every Four Years (Ordinance Chapter 232-36)

Darlene Hillegas 749 Collina Drive Lewisberry, PA 17339

The Solicitor and Sewage Enforcement Officer gave an overview of the ordinance and relevant details relating to this matter (Ms. Hillegas was not in attendance).

Mr. Allen made a motion, seconded by Mr. Cox to deny an appeal for an Extension Request for Darlene Hillegas of 749 Collina Drive Lewisberry, PA of the requirement to pump a septic tank every four years (Ordinance Chapter 232-36).

Vote on the motion: All Yes. The motion carried.

D. Building, Zoning, Codes:

1. Subdivision and Land Development Modification Request

<u>Plan</u>	<u>Section/Description</u>
GSONS LLC	SLDO 260.22.B(1) – Required dedicated ROW Miramar Street

Mr. Allen made a motion, seconded by Mr. Cox to approve modification request: SLDO 260.22.B(1) – Required dedicated ROW Miramar Street.

Vote on the motion: All Yes. The motion carried.

2. Preliminary/Final Subdivision Plan – GSONS LLC – 8 Ross Avenue - #22-1016 (EXP. 12/5/22)

Mr. Jones made a motion, seconded by Mr. Cox to approve the Preliminary/Final Subdivision Plan – GSONS LLC – 8 Ross Avenue - #22-1016 (EXP. 12/5/22) contingent on the submittal of signed and notarized plans; the payment of plan recording fees; payment of all engineer review fees; and compliance with the staff Memo dated December 5, 2022.

Vote on the motion: All Yes. The motion carried.

3. Zoning Ordinance Text Amendment Requests

a. Clint and Tracy Leakway, 680 Corn Hill Road, Eppers, PA 17339. The proposal would be to permit “Agri-tainment and Agri-tourism” as a special exception in the Single Family Residential Zoning District and to establish the associated criteria for such uses.

Mr. Pirritano made a motion, seconded by Mr. Jones to set a Public Hearing date for April 27th, 2023 at 6:30 pm.

Vote on the motion: All Yes. The motion carried.

b. Fairview Crossroads LLC, 22714 Appleton Drive, Boca Raton, FL 33428. This proposal would be to add a definition to our existing Sign ordinance for "Monument signs" and to establish specific criteria for those types of signs and establish areas where the signs would be permitted. Revised Modification Request – Wright Property Management – 7 Lewisberry Road

Mr. Jones made a motion, seconded by Mr. Cox to to set a Public Hearing date for April 27th, 2023 at 6:30 pm.

Vote on the motion: All Yes. The motion carried.

4. Bond Reduction Request - Green Lane Meadows

The Township received a bond reduction request associated with the Green Lane Meadows – Phase I Subdivision plan. The Townships Consulting Engineer – Mike Knouse from Rettew Associates has reviewed the request and recommends a reduction of the bond in the following amount:

Green Lane Meadows – Phase I

<u>Current Bond Amount</u>	<u>10% cont. held</u>	<u>Release Amount</u>	<u>Remaining Amount</u>
\$ 1,473,307.50	\$ 129,237.50	\$ 463,242.65	\$ 1,010,064.85

Mr. Pirritano made a motion, seconded by Mr. Cox to approve the bond reduction request associated with the Green Lane Meadows – Phase I Subdivision plan in the amount of \$ 463,242.65.

Vote on the motion: All Yes. The motion carried.

5. Modification Request – Plan Approval Conditions - McClure Hangar – Capital City Airport

a. Modification of Placement of Financial Security

b. Modification of creation of Engineer Escrow Account

Mr. Jones made a motion, seconded by Mr. Allen to approve Modification Request – Plan Approval Conditions – McClure Hangar – Capital City Airport.

Vote on the motion: All Yes. The motion carried.

6. Discussion - Draft Ordinance – Chickens

Mr. Waller gave an update on the draft ordinance with regard to chickens and requested the Boards input.

E. Approve Agreement – Estate of Robyn Wamsher

Mr. Jones made a motion, seconded by Mr. Pirritano to approve and authorize the Chairman to sign the Receipt, Release and Indemnification Agreement with the executor and Estate of Robyn Wamsher to release the Executor from liability for the administration of the Estate and Final Informal Accounting as presented.

Vote on the motion: All Yes. The motion carried.

VII. OLD BUSINESS

There was no old business discussed.

VIII. NEW BUSINESS

Mr. Martin informed the Board that all Fairview Township residents will receive a letter from DEP with instructions on how to obtain a free radon test kit.

IX. APPROVAL OF MINUTES

Mr. Allen made a motion, seconded by Mr. Cox to approve the minutes of the January 4, 2023 meeting of the Board of Supervisors.

Vote on the motion: All yes. The motion carried.

X. RATIFICATION OF BILLS PAYABLE

Mr. Jones made a motion, seconded by Mr. Cox to ratify payment of all Bills Payable as presented.
Vote on the motion: All yes. The motion carried.

XI. ANNOUNCE EXECUTIVE SESSION

There will be an executive session at this time.

RECONVENE MEETING

Mr. Jones made a motion, seconded by Mr. Cox to appoint Ronald Flowers Jr to the Planning Commission.

Vote on the motion: All yes. The motion carried

Mr. Cox made a motion, seconded by Mr. Pirritano to appoint Robert Kostosky as an alternate Member to the Planning Commission.

Vote on the motion: All Yes. The motion carried.

XII. ANNOUNCE EXECUTIVE SESSION

There will be no executive session following this meeting.

XIII. ADJOURNMENT

Mr. Jones made a motion, seconded by Mr. Cox to adjourn the meeting.

Vote on the motion: All yes. The meeting was adjourned at 9:00 PM.