

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

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Dr. Larry Cox, at 7:02 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

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

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS

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

V. RECOGNITION OF PUBLIC:

1. Mr. Kenneth Puller, 307 Woodbridge Drive, expressed his concern to the Board about the intersection of Beinhower Road and Valley Road and his concern for the safety of the students and school buses once construction of the new school is complete.

Chairman Dr. Cox requested that the Township Engineer Mr. Bitner write a letter to PennDot and the School District about the residents and Townships concerns at this intersection.

2. Joseph Grim, 644 Observatory Drive, stated he is in the process of becoming a falconer and asked the Board to consider making changes to current ordinances to allow the housing of falcons.

Mr. Jones stated falcons fall within the regulations of the Game Commission however if the Township wanted to make changes to the current zoning ordinance to allow for "Birds of Prey", it could be reviewed during the upcoming update to the Comprehensive Plan.

The Board agreed to review during the Comprehensive Plan update.

3. Debbie Smith, 190 Spanglers Mill Road, asked for an update regarding the use of air cannons.

Mr. Jones stated he is in the process of sending a letter to Mr. Gruver encouraging him to find an alternative method of protecting his crops and that further use of air cannons next summer will result in the Township seeking legal action to protect the health and welfare of the neighboring property owners.

4. Jaden Gruver, 255 Stetler Road, requested a meeting with the Board of Supervisors and threatened legal action on any false claims made against him.

5. Janice Lynx, West Shore Historical Society, thanked Mr. Pirritano for attending and speaking at the Energy Transfer Donation Ceremony and Time Capsule Burial. Ms. Lynx stated a Board member of the Historical Society has been researching and documenting historical buildings within the Township and would like to present at a future meeting.

VI. AGENDA ITEMS

- A. Building, Zoning, Codes:**

1. Bond Reduction Request – Gruver Winery and Vineyards

The Township received a bond reduction request associated with the Gruver Winery and Vineyards Land Development plan. The Township Engineer – Drew Bitner has reviewed the request and recommends a reduction of the bond in the following amount:

<u>Gruver Winery</u>		
<u>Current Bond Amount</u>	<u>Release Amount</u>	<u>Remaining Amount</u>
\$ 99,878.00	\$ 94,378.00	\$ 5,500.00

Mr. Pirritano made a motion, seconded by Mr. Allen to approve the bond reduction request associated with the Gruver Winery and Vineyards in the amount of \$ 94,378.00.

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

2. Modification Request – Scottish Inn – 300 Commerce Drive

Mr. Jones made a motion, seconded by Mr. Cox to approve modification request with the following conditions: a detailed site plan be submitted showing compliance with zoning regulations; supporting documentation showing compliance with stormwater regulations; and that ANY future expansion, additions or site improvements, be required to submit a complete Subdivision and Land Development plan based on the regulations in place at the time.

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

3. Short Term Rentals – Discussion/Opinion

The following residents voiced their concerns about air bnb's in their neighborhoods and urged the Board members to not allow short-term rentals in their neighborhoods.

1. Ashley Daley, 600 Whitetail Drive
2. Kent Anthony, 648 Whitetail Drive
3. Judy Diehl, 663 Hunters Lane
4. Mary Sheller, 600 Buckhorn Ct.

Attorney Jones stated that the Township must allow short-term rentals somewhere in the Township as it is a legal activity.

Dr. Cox stated that regulations should be considered as the Township updates its Comprehensive Plan.

4. Taylor Property – Grading/Stormwater Plan - Discussion

The Board gave their approval to proceed with the grading/stormwater plan presented and continued development of the Taylor property.

5. Subdivision And Land Development Modification Request

<u>Plan</u>	<u>Section/Description</u>
Taylor – Silver Lake Rd	SLDO 260.24.A(1) - Original Property Description
	SLDO 260.14.B(7) – Wetlands Analysis
	SLDO 260.22.A(7) – ROW dedication and cartway Improvements – Silver Lake Road

Mr. Allen made a motion, seconded by Mr. Cox to approve modification requests: SLDO 260.24.A(1) - Original Property Description; SLDO 260.14.B(7) – Wetlands Analysis; SLDO 260.22.A(7) – ROW dedication and cartway Improvements – Silver Lake Road.

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

6. Preliminary/Final Reverse Subdivision /Consolidation Plan – Raymond And Neola Taylor – Silver Lake Road - #23-1009 (EXP. 12/4/23)

Mr. Allen made a motion, seconded by Mr. Cox to approve Preliminary/Final Reverse Subdivision /Consolidation Plan – Raymond And Neola Taylor – Silver Lake Road - #23-1009 (EXP. 12/4/23) contingent on favorable action on the above-noted modification request; the submittal of signed and notarized plans; and compliance with the Staff Memo dated September 29, 2023 and Rettew Memo dated October 2, 2023.

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

7. Time Extension Request

<u>Plan</u>	<u>Exp. Date</u>	<u>Ext. Date</u>
Best Wash – Old York Rd	October 30, 2023	January 29, 2024

Mr. Jones made a motion, seconded by Mr. Cox to approve the time extension request noted above.

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

B. Resolution 2023-19 – To Support and Participate in Efforts to Create Green Space, Improve Access and Use of Sheepford Road between Old Forge Road and the Sheepford Road Bridge.

Mr. Pirritano made a motion, seconded by Mr. Allen to adopt Resolution No. 2023-19, To Support and Participate in Efforts to Create Green Space, Improve Access and Use of Sheepford Road between Old Forge Road and the Sheepford Road Bridge.

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

C. Present 2024 Budget of Township Funds:

Mr. Pirritano made a motion, seconded by Mr. Allen to present the 2024 Budget of Township Funds for public review for the required 20-day period with the intent to adopt at the meeting of December 4th, 2023.

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

D. Approve 2024 Meeting and Holiday Schedules:

Mr. Cox made a motion, seconded by Mr. Allen to approve the meeting and holiday schedules for 2024.

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

E. Letter of Support for PennDot:

Mr. Jones made a motion, seconded by Mr. Allen to approve a letter of support for the Bridge Improvement Program Large Bridge Project Grant to help Fund the replacement of the John Harris Memorial (South) Bridge.

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

F. Resolution 2023-20 – Local Share Assessment Grant (Statewide).

Mr. Allen made a motion, seconded by Mr. Jones to adopt Resolution No. 2023-20, Requesting a Statewide Local Share Assessment Grant from the Commonwealth Financing Authority for a dump truck and parks mower and authorizing Donald Martin and Keith Reynolds as designated applicants to execute all documents and agreements between the Township of Fairview and the Commonwealth Financing Authority.

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

G. Resolution No. 2023-21 – Disabled Veteran Tax Exempt Status:

Mr. Cox made a motion, seconded by Mr. Jones to approve Resolution No. 2023-21 granting a real estate tax exemption to Aaron J. Burns, as qualified by the PA Department of Military and Veterans Affairs.

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

H. Resolution No. 2023-22 – Disabled Veteran Tax Exempt Status:

Mr. Jones made a motion, seconded by Mr. Cox to approve Resolution No. 2023-22 granting a real estate tax exemption to Jordan D. Miller, as qualified by the PA Department of Military and Veterans Affairs.

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

VII. OLD BUSINESS

1. Dr. Cox asked for an update on York County's interest in acquiring land for a County park within the Township.

Mr. Martin stated the County would be at a future meeting to present an update.

2. Dr. Cox asked for an update on Briarcliff.

Attorney Jones stated the client's attorney contacted him to advise they were unable to finish the work as agreed due to weather and other unforeseen conditions. Attorney Jones advised the Board to extend the agreement and get a commitment to complete in the Spring.

The Board asked Attorney Jones to contact their attorney and extend the agreement with penalties for incomplete work.

VIII. NEW BUSINESS

1. Mr. Pirritano asked for a moment of silence for the passing of retired Police Chief Bernie Dugan.

Dr. Cox informed all of the memorial services.

Lieutenant Boyles stated that the officers have begun "No Shave November" and all donations will be presented to the Miracle Children's Network and the Hershey Children's Hospital. Donations can be made on the website.

IX. APPROVAL OF MINUTES

1. **Motion to approve the minutes of the September 25, 2023 meeting of the Board of Supervisors.**

Mr. Allen made a motion, seconded by Mr. Cox to approve the minutes of the September 25th, 2023 meeting of the Board of Supervisors.

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

2. **Motion to approve the minutes of the October 4, 2023 meeting of the Board of Supervisors.**

Mr. Jones made a motion, seconded by Mr. Allen to approve the minutes of the October 4th, 2023 meeting of the Board of Supervisors.

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

X. RATIFICATION OF BILLS PAYABLE

Mr. Allen 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 no executive session following this meeting.

XII. ADJOURNMENT

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

Vote on the motion: All yes. The meeting was adjourned at 8:35 PM.