

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
May 22, 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
Matthew Cox, Supervisor
Donald F. Martin, Manager
Drew Bitner, Engineer
Davis Holland, Chief of Police
Dave Jones, Stock & Leader, Solicitor
Mike Knouse, Rettew, Stormwater Engineer

ABSENT: Christopher L. Allen, Supervisor
Stephen M. Waller, Codes Administration Director

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS

There was no executive session prior to the meeting.

V. RECOGNITION OF PUBLIC

1. Bob Gasswint, Red Land Senior Center, thanked the Board for their support and announced they were close to owning the church and were waiting for their lawyer to finalize the agreement.
2. Gary Young, 279 Kernal Lane, read the attached statement on the numerous advantages of allowing chickens on smaller properties in residential areas and provided the Board with a petition of 15 signatures supporting his position.
3. Scott Huntsburger, 660 Corn Hill Rd, stated that remarks made by his neighbor at 680 Corn Hill Road on his surveillance of him at a previous Board meeting were false. He stated his dissatisfaction with the lack of response from the Zoning office with regard to his complaints about his neighbors and he felt that some residents were not forced to comply with the ordinances as he was. He also stated he was in favor of allowing chickens on smaller residential lots.
4. Ashley Dailey, 600 Whitetail Dr., stated that a resident in the Deer Run Neighborhood was in violation of their building permit and were not following the ordinances.

Dr. Cox stated he spoke with Mr. Waller, and the resident was building within the permit requirements and a survey could provide the information necessary for the codes office to act on. She stated she would provide the survey to the codes office for further review.

5. Susan Huntsburger, 660 Corn Hill Rd, asked if it was typical for applicants of a special exception to show up at their neighbors door after a Zoning Hearing Board judgement? How the appeals process worked for an unfavorable judgement? And if a special exception was denied and the applicant intended to appeal, can the applicant continue the activity up until the appeal is heard?

Attorney Jones advised her to seek her own counsel and explained that the activity that was denied should cease immediately and the applicant could have up to 75 days to file an appeal. He further stated that neighbors can approach neighbors and that if she felt threatened, she should call the police.

6. John Barker, 337 Lamp Post Lane, thanked the Board members for returning his calls promptly and thanked the codes office for responding to his complaint about a neighbor not mowing their grass. He then stated that another of his neighbors had multiple boats and was making excessive noise with ATV's without mufflers.

He stated another of his neighbors seemed to be running a hotel with people coming and going constantly, beds being built in the garage and cooking being done in a garage that led to an explosion. He stated that a wellness check should be considered. He also stated that there were chickens and a rooster.

Mr. Barker also stated he was not in favor of allowing chickens on residential lots less than an acre.

Discussion ensued on the noise ordinance and limitations on the number of family members living in a single family residential home.

VI. AGENDA ITEMS

A. Chris Caba, York County Planning Commission gave an update on the 2025 Traffic Improvement Plan

B. Building, Zoning, Codes:

1. Subdivision and Land Development Modification Request

<u>Plan</u>	<u>Section/Description</u>
Sienna Phase I - Spanglers Mill & Limekiln Roads	SWMO 252.10.L Stormwater basin setback
	SWMO 252.17.C(1)(b) & SLDO 260.35.C.3(l) - Stormwater basin top width
	SWMO 252.17.C(1)(c) & SLDO 260.35.C.3(k)-Stormwater basin side slopes
	SWMO 252.17.C(1)(e) –Stormwater basin outlet structure perforations
	SWMO 252.19.D - Stormwater rate & volume calcs during E&S Phase
	SLDO 260.24.B(1) – Curbs along Limekiln and Spanglers Mill Rds
	SLDO 260.25.A(1) - Sidewalk locations
	SLDO 260.25.A(4) - Sidewalk construction (Limekiln & Spanglers Mill)
	SLDO 260.26.C.2(b) - Number of access drives
	SLDO 260.35.C.2(b) & 260.35.C.3(b) Stormwater Rational Method
	SLDO 260.35.C.3(i) - Fencing SWM Basins
	SLDO 260.35.C.3(j) – SWM Basin Bottom Slope
	SLDO 260.35.C(3)(g)(1) - Emergency Basin spillway depth

SLDO 260.35.D.2(a)4 - Minimum SWM pipe size 18”

NEW- SLDO 260.260.35.D.2(a)7 – SWM Pipe Outlet/End materials – Plastic

Mr. Pirritano made a motion, seconded by Mr. Cox to approve modification requests: SWMO 252.10.L Stormwater basin setback; SWMO 252.17.C(1)(b) & SLDO 260.35.C.3(l) - Stormwater basin top width; SWMO 252.17.C(1)(c) & SLDO 260.35.C.3(k)-Stormwater basin side slopes; SWMO 252.17.C(1)(e) –Stormwater basin outlet structure perforations; SWMO 252.19.D - Stormwater rate & volume calcs during E&S Phase; SLDO 260.24.B(1) – Curbs along Limekiln and Spanglers Mill Rds; SLDO 260.25.A(1) - Sidewalk locations; SLDO 260.25.A(4) – Sidewalk Construction (Limekiln & Spanglers Mill); SLDO 260.26.C.2(b) - Number of access Drives; SLDO 260.35.C.2(b) & 260.35.C.3(b) Stormwater Rational Method; SLDO 260.35.C.3(i) - Fencing SWM Basins; SLDO 260.35.C.3(j) – SWM Basin Bottom

Slope; SLDO 260.35.C(3)(g)(1) - Emergency Basin spillway depth; SLDO 260.35.D.2(a)4 - Minimum SWM pipe size 18" NEW- SLDO 260.260.35.D.2(a)7 – SWM Pipe Outlet/End materials – Plastic.
Vote on the motion: All Yes. The motion carried.

<u>Plan</u>	<u>Section/Description</u>
Ammerman – 930 & 940 Pinetown Road	SLDO 260.14.A(1) – Original Prop desc.
	SLDO – 260.14.B(7) – Wetlands Report
	SLDO 260.14.A(18) – Existing Contours
	SLDO 260.14.A(16) – Indicating Steep Slopes
	SLDO 260.22.A(7) – Dedication of Right-of-way Moore’s Mtn and Pinetown Roads
	SLDO 260.22.B(1) – Roadway widening Moores Mtn & Pinetown Rds

Mr. Jones made a motion, seconded by Mr. Cox to approve modification requests: SLDO 260.14.A(1) – Original Prop desc.; SLDO – 260.14.B(7) – Wetlands Report; SLDO 260.14.A(18) – Existing Contours; SLDO 260.14.A(16) – Indicating Steep Slopes; SLDO 260.22.A(7) – Dedication of Right-of-way Moore’s Mtn and Pinetown Roads; SLDO 260.22.B(1) – Roadway widening Moores Mtn. & Pinetown Rds.
Vote on the motion: All Yes. The motion carried.

2. Final Subdivision Plan – 930 & 940 Pinetown Road - 2 lot reconfiguration – #23-1003 (EXP. 6/26/23)

Mr. Cox made a motion, seconded by Mr. Pirritano to approve Final Subdivision Plan – 930 & 940 Pinetown Road - 2 lot reconfiguration – #23-1003 (EXP. 6/26/23) contingent on favorable action on the modifications noted above; the submittal of signed and notarized plans; the payment of plan recording fees; payment of all engineer review fees; and compliance with the Rettew Staff memo dated April 20, 2023.
Vote on the motion: All Yes. The motion carried.

3. Zoning Ordinance Map Amendment – Rutkowski, Caldwell, Harbilas – Requesting Several Parcels of Land to be Rezoned from Village Business (VB) to Airport Business (AB)

Mr. Pirritano made a motion, seconded by Mr. Jones to set a public hearing date for July 31, 2023 at 6:30 pm.
Vote on the motion: All Yes. The motion carried.

4. Resolution 2023-09 - Street Acceptance – A portion of Gap Road

Mr. Jones made a motion, seconded by Mr. Cox to adopt Resolution No. 2023-09, accepting a portion of Gap Road into the Township road system.
Vote on the motion: All Yes. The motion carried.

5. Agreement for Professional Services - 2023 Comprehensive Plan Update

Mr. Pirritano made a motion, seconded by Mr. Jones to approve the agreement for professional services as indicated in the request for proposals to HRG, Inc. in the amount of \$62,180.00.
Vote on the motion: All Yes. The motion carried.

6. Discussion Draft Ordinance – Chickens

Mr. Jones made a motion, seconded by Mr. Cox to approve the draft of the ordinance as presented so that it can be forwarded to the York County and Fairview Township Planning Commissions for their comments.
Vote on the motion: All Yes. The motion carried.

7. Time Extension Request

<u>Plan</u>	<u>Exp. Date</u>	<u>Ext Date</u>
Sienna Ph 1–Limekiln & Spanglers Mill Rds	05/22/2023	06/26/2023
Southern Crossings – Beinhower Rd	05/22/2023	08/28/2023
Best Wash – Old York Rd	05/22/2023	07/31/2023

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.

C. Request for Fireworks Permit – Grace Baptist Church, Woodland Ave:

Mr. Jones made a motion, seconded by Mr. Pirritano to approve the request for a fireworks permit for Grace Baptist Church for July 1, 2023 with a rain date of July 2, 2023.

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

D. Lamp Post Lane Block Party – Saturday, June 24th, 2023

Mr. Cox made a motion, seconded by Mr. Pirritano to approve the closing of the cul-de-sac on Lamp Post Lane for a community block party on Saturday, June 24, 2023 from 12 pm until 10 pm.

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

E. Resolution No. 2023-6 – Police Pension Smoothing:

Mr. Jones made a motion, seconded by Mr. Cox to approve Resolution No. 2023-6 to adopt a five-year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for the Fairview Township Police Pension Plan as recommended by the Police Pension Board.

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

F. Resolution No. 2023-7 – Non-Uniform Pension Smoothing:

Mr. Pirritano made a motion, seconded by Mr. Cox to approve Resolution No. 2023-7 to adopt a five-year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for the Fairview Township Non-Uniform Pension Plan as recommended by the Non-Uniform Pension Board.

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

G. Resolution No. 2023-8 Disposition of Records

Mr. Cox made a motion, seconded by Mr. Jones to approve Resolution No. 2023-8 for the disposition of records as set forth in the Municipal Records Manual.

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

VII. OLD BUSINESS

There was no old business discussed.

VIII. NEW BUSINESS

Dr. Cox asked about the status of Briarcliff. Mr. Bitner and Mr. Martin stated they have been requesting a schedule of remaining construction activities for the past few months and have yet to receive an answer from the developer. As soon as there is an update, they will post it on the website.

IX. APPROVAL OF MINUTES

Mr. Pirritano made a motion, seconded by Mr. Jones to approve the minutes of the April 24th, 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 no executive session following this meeting.

XII. ADJOURNMENT

Mr. Cox made a motion, seconded by Mr. Pirritano to adjourn the meeting.
Vote on the motion: All yes. The meeting was adjourned at 8:15 PM.