

WEST MANHEIM TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES

PUBLIC HEARING

Chairman Ault called the Public Hearing to order at 7 p.m. on Tuesday, June 21, 2022.

Present were Chairman Ault and Franks (via GoToMeeting), Hartlaub, Rynearson, and Wetzel. Also, present Michael Bowersox, Township Manager, David Jones, Township Solicitor, and Cory McCoy, Township Engineer, and Miriam Clapper Township Secretary.

Visitors: Visitor Registered attached.

Chairman Ault told those present that the Public Hearing was for Jason M. Mummert of 764 Fairview Drive, Hanover, PA 17331, on his waiver request from the Water Ordinance, Chapter 261.

1. Jason M. Mummert – Waiver Request from Water Ordinance, Chapter 261
Location: 764 Fairview Drive, Hanover, PA 17331

Mr. Jason Mummert of 764 Fairview Drive approached the West Manheim Township Board of Supervisors and told the Supervisor that he currently has a dry well septic system, which is failing. Mr. Mummert told the Board members that he would need to replace it with a sand mound septic system. He said that it was during the process of designing the new sand mound septic system, that he was told that due to the size of his lot that a corner of the new sand mound septic system would be eighty-some feet away from the well. He said the old dry well was eighty-seven feet from his well and the ordinance says it needs to be one hundred feet. He told the Supervisors that he does not have one hundred feet on his property to get the sand mound away from the well. He said that is why is asking for the waiver to the Water Ordinance so he can put the sand mound in since the old system was under the 100-foot requirement.

Supervisor Rynearson asked Mr. Mummert if he was the owner of the property and Mr. Mummert replied that he was. He asked Mr. Mummert if he intended to live there and Mr. Mummert replied, yes; we are currently living there now. Supervisor Rynearson said but you are not intending on selling this property, which Mr. Mummert said not currently, no. Mr. Mummert said if something came up, he said he was not going to say he was never going to move. Mr. Rynearson said no, but it is not a flip property. Mr. Mummert said no. He had lived there for eight years.

Supervisor Hartlaub asked Mr. Mummert if he had thought about drilling for another well and Mr. Mummert said that he had not and the only place he could go would be out towards the road to drill for a well. Mr. Mummert then asked if there were any stipulations on how close you could be to a road to drill for a well. Mr. Mummert told the Board members that he had thirty feet from his house to the road to where the old well is to get further away.

Supervisor Rynearson said to Mr. Mummert that you are asking for a waiver to encroach thirteen feet into the isolation area and Mr. Mummert said I guess so.

Chairman Ault asked what the distance is from the road to drill a well. Township Solicitor David Jones told Chairman Ault that it is fifteen feet per the ordinance, and it has to be thirty feet from a building foundation according to the ordinance. Mr. Mummert said that he would not be able to meet those requirements anyway if he was to drill a new well. Chairman Ault asked Supervisor Wetzel what he said, and Supervisor Wetzel said he did not say anything but that either way he would be going for an exception/waiver. He would need a waiver to drill for the well since he does not have thirty feet from the foundation. Township Solicitor David Jones told Chairman Ault that the ordinance requires fifteen feet from the road and thirty feet from a building foundation and it sounds like Mr. Mummert does not have thirty feet from the house to the road. Mr. Mummert said probably not, no. Township Solicitor David Jones told Supervisor Ault and the Board members that Mr. Mummert would need to ask for an exception either way. He then asked Mr. Mummert if he would want to keep his well where it is, correct and then you are encroaching thirteen feet, Mr. Mummert answered correct, into the new sand mound. Mr. Mummert said yes. Township Solicitor David Jones said I think that is what the request is. Chairman Ault asked of his own well and Mr. Mummert said correct my well. Mr. Mummert told the Board members that his well is over the required one hundred feet from all the neighbors' properties.

Supervisor Rynearson asked Township Engineer Cory McCoy that since this is in Area 6, correct me if I am wrong but there is no public water down where you are...since this is in Area 6, which they have had trouble before, how do you see this impacting the study for the PUC if the Board would grant the waiver request. The Township Engineer said that he did not know if there was any impact because of that area's existing on-lot septic systems and on-lot wells currently with the Special Study for the Act 537 Plan that was approved. He reminded the Board members that they had agreed to re-evaluate Area 6 and address the nitrate issues that are accounted for in 2023 it could have an impact.

Chairman Ault told those present that even if the Board would deny his request, Mr. Mummert would need to apply for a waiver to have a new well drilled and if not, the property is deemed not legal because he does not have a well or septic system. Supervisor Rynearson answered correct.

Supervisor Ault made a motion to approve his waiver request in regard to the isolation distances for the new sand mound to the well, seconded by Supervisor Rynearson.

At this time, Township Solicitor David Jones asked if there was any public comment regarding Mr. Mummert's request with regards to the well separation distances to his own sand mound.

James Myers, 1621 Oakwood Drive came forward and said that judging from the discussion and Mr. Mummert's explanation that he felt Mr. Mummert needed to have the waiver request approved. He supported the approval of the request.

Township Manager Michael Bowersox told Supervisor Ault that he had a motion on the floor and Supervisor Ault asked if he received a second, to which Supervisor Rynearson said yes. Supervisor Ault then called for the vote. The **Motion carried.**

MEETING CALLED TO ORDER:

Chairman Ault called the Regular Meeting of the West Manheim Township Board of Supervisors to Order at 7:10 p.m. on Tuesday, June 21, 2022, followed by the Pledge to the Flag and Invocation by Supervisor Wetzel. The meeting took place at the Municipal Building at 2412 Baltimore Pike, Hanover, PA, 17331 and through the GoToMeeting video conferencing software.

ROLL CALL: Present were Supervisors Ault and Franks (via GoToMeeting), Hartlaub, Rynearson, and Wetzel. Also, present were the Township Manager Michael Bowersox, Township Solicitor David Jones from Stock and Leader Attorneys at Law, Township Engineer Cory McCoy from C. S. Davidson, Inc., and Township Secretary Miriam Clapper. A quorum was present.

ANNOUNCEMENT: Chairman Ault informed those present that the Board of Supervisors held an executive session before the meeting to discuss personnel matters.

PUBLIC COMMENTS: Chairman Ault asked if anyone present wanted to speak at this time, and Attorney Paul Minnich, 100 E. Market Street, York, PA 17401 came forward. Mr. Minnich told the Board members that he had two items on the agenda that he wanted to speak to on behalf of two separate clients; one is New Business Item 15. C and one is New Business Item 15. F. He told the Board members he would be happy to speak about both items at this time or wait until both items come up on the agenda. Chairman Ault told Mr. Minnich that he could speak on those two items.

Mr. Minnich then reminded the Board members that they were kind enough at a prior meeting to allow Burkentine Builders to pay arrearages in connection to the issuing of building permits for their Belmont projects. Mr. Minnich then told the Board members that while paying the arrearages on the stormwater bills of about \$3,000 that the late fee charges on the stormwater bills were over \$10,000. He then told the Board that Burkentine had not received any stormwater bills or late notices for the stormwater bills. He then asked the Board to consider waiving the late fees of over \$10,000.

Chairman Ault then asked Township Solicitor David Jones to speak on this issue. Township Solicitor David Jones then told those present that he was asked by the Board to review the request. He then said that they had no legal bases for their claim other than their claim that they did not receive the stormwater notices or any late notices. Mr. Minnich agreed with Solicitor Jones that they were not here sighting any ordinance provision or MPC provision; they are just here relying on the Board's good will and fair play. Township Solicitor David Jones said that his concern that he raised with the Board is one, similar assessment under the real estate tax law is it is not a defense that they did not receive the bills. He then said that the assessment comes on an annual basis, and you are expected to know when it comes and to pay it. He said the second reason was that they received a late notice last year as a courtesy and they should have known that it was coming due again and third it will create one heck of a precedent if someone says I did not get my bill. He said that the Board would not be acting on this issue at this time but acted on it under New Business.

Mr. Minnich asked if Mr. Kyle Gillespie (via GoToMeeting) if he wanted to add anything besides Mr. Minnich's comments. Mr. Gillespie said that he did not. Mr. Minnich then thanked the Board.

Mr. Minnich then spoke on the rezoning intention of two parcels owned by Oakwood Drive LLC and Joseph A. Myers. He told the Board members that these two properties are scheduled to be rezoned from residential to farming. He told the Board that Mr. Myers had just learned of that change and that they believe under Title 53 PS10609 there is a requirement that each property owner be mailed notification of the anticipated change; Mr. Myers did not receive that notification, and Oakwood Drive LLC did not receive that notification. Mr. Minnich said that both entities have record addresses of 160 Ram Drive and there was concern about notice relative to that. He also told the Board members that there were some concerns about substantive issues. He said that the Planning Commission had looked at this matter and a correspondence dated May 24, 2022, expressed some concerns about issues such as spot zoning, and timing issues such as that and he thought that Mr. Myers shares some of those same concerns. Mr. Minnich also said that they were aware that the Board of Supervisors is currently working on a Comprehensive Plan. They respectfully submit that it may be better to be further down the path of comprehensive planning before this round of rezoning. Mr. Minnich then said in the totality the request is really based on the principally one that a little pause be taken in the action and not act tonight relative to the rezoning request. Explaining that Mr. Myers does believe that it would have the potential to impact it, in some regard now to protect their position, that they have submitted a plan that the township has received but nevertheless wanted to go on record with some of those concerns about the zoning amendment; principally procedural but also substantive as well. Mr. Minnich then asked Mr. Felch from JA Myers if he had anything to add and Mr. Felch said that was pretty much it.

Chairman Ault asked if anyone else in the audience wanted to address the Board and receive no reply.

Township Manager Michael Bowersox asked if anyone online wanted to address the Board and one person from the audience raised their hand. Patricia Houser, 2506 Black Rock Road said that her only concern is what he

(not sure who he is) brought up and that is, if you let some people off from paying the late fee for their Stormwater Assessment Fee because they did not receive their bill from the postal service, then the average property owner should be allowed the same opportunity. She said that because she has paid it, the surcharge is high, and it makes her worry. She felt that everyone should have the same opportunity not to pay the late fee if a business was granted a waiver to the stormwater late fees.

APPROVAL OF MINUTES: Supervisor Ault made a motion to approve the Public Hearing and Work Session Meeting held on June 2, 2022, seconded by Supervisor Wetzel. **Motion carried.**

DISBURSEMENTS: The Disbursements from all Funds were approved, as listed, in a motion by Supervisor Ault, seconded by Supervisor Rynearson. **Motion carried.**

CORRESPONDENCE: Chairman Ault noted the Board received a letter thanking the Board of Supervisors for offering the yearly shredding event.

A. Email from Robert Jacobs, St. Bartholomew Road

Supervisor Ault made a motion to accept the correspondence as presented, seconded by Supervisor Rynearson. **Motion carried.**

RECREATION BOARD REPORT: Supervisor Rynearson indicated that there was no meeting in June. He reported that the Cub Scouts held their annual awards luncheon and rocket launch with luncheon at the park. He reported that this year was the first year that sports camps were held at the park. He thanked the road crew for the great job they did keeping the fields in good shape. He received positive feedback from both camps on how they appreciated the effort that was given to keeping fields in good shape. Supervisor Rynearson ended with...it went well.

Supervisor Ault made a motion to accept the Rec Board's Report as presented, seconded by Supervisor Rynearson. **Motion carried.**

SOLICITOR'S REPORT: Solicitor David Jones had nothing new to add to his submitted report (copy on file).

Supervisor Ault made a motion to accept the Solicitor's Report as given and accept the comments given in the executive session, seconded by Supervisor Rynearson. **Motion carried.**

ENGINEER'S REPORT: Township Engineer Cory McCoy, C. S. Davidson had nothing new to add to his submitted report (copy on file).

A. Motion to approve the 2021 Roadway Improvements – authorization of the final application for payment #2 - \$13,560.00

Supervisor Hartlaub made a motion to approve the 2021 Roadway Improvements – authorization of the final application for payment #2 - \$13,560.00, seconded by Supervisor Rynearson. **Motion carried.**

B. Harpers Hill – Pumping Station culvert (bridge J) discussion

Township Engineer Cory McCoy told the Board members that C.S. Davidson had opened the bids for the culvert replacement in relationship to the Harpers Hill Plan. He explained that there is a developer's agreement to widen that section on Pumping Station Road and replace the culvert, which ties into the existing Belmont Ridge subdivision, and widening on Pumping Station Road down through that section. He reminded the Board members that they re-bid this project based on the lack of bidders and the prices that CS Davidson received. He told the Supervisors that the bid tabulations that CS Davidson received are in their notebooks and no action was necessary at this time, because the prices are significantly higher than the estimates from 2019. He said that the lowest bid that CS Davidson received in March was \$250,000 and the lowest bid CS Davidson received this time was \$252,500, which leads him to believe in this current climate it is the current construction cost. He then told the Board members they need to decide if they wanted to move forward with the project or re-evaluate the agreement with J.A. Myers and potentially remove this from the future project altogether. No action was taken.

C. Vegas Drive and Casino Court paving fabric quote

Supervisor Ault questioned the quote that CS Davidson received for the paving fabric. He asked then quoted the price of the fabric at being \$2.60 per square yard and the number of yards needed was 8,350 square yards. He then asked the Township Engineer what the cost was, and he was told \$21,710. Township Engineer Cory McCoy told the Board members that the quote before them was received in March. Mr. McCoy told them that CS Davidson had gotten three quotes and for some reason, this quote never came before the Board for authorization. Mr. McCoy then told them that American Paving was comfortable with holding at this price. Supervisor Ault asked Mr. McCoy what the existing bid index is, and Mr. McCoy said that he thought it was around \$800 per ton now. Supervisor Ault and Township Manager Michael Bowersox expressed that this would put the project over the bid limit and would need to be publicly advertised. Township Engineer Cory McCoy said that he did not know that they needed to because the quote that was received in March was below the public bidding limit of \$21,900. Had the Board awarded at that time, they would still be subject to the escalator provision of the liquid asphalt bid index regardless of whether it was awarded now or awarded in March.

Supervisor Ault made a motion to approve American Paving Fabrics for the Vegas Drive and Casino Court paving fabric quote that was given in March in the amount of 8,350 square yards for the unit price of \$2.60 a square yard based on an asphalt index of \$601.67 a ton subject to change due to the asphalt fuel index, seconded by Supervisor Wetzel. **Motion carried.**

Supervisor Rynearson made a motion to approve the Engineer's Report as given, seconded by Supervisor Wetzel. **Motion carried.**

REPORTS:

- A. Monthly Budget Review – Treasurer's Report - May 2022
- B. Chief of Police, Monthly Activity Report – May 2022
- C. Public Works Report – May 2022
- D. Pleasant Hill Volunteer Fire Co.-EMS Reports – May 2022
- E. EMA Report – May 2022
- F. Code Enforcement Officer Report – May 2022
- G. SEO Report – May 2022

Supervisor Ault made a motion to approve the Reports A. through G. as given, seconded by Supervisor Rynearson. **Motion carried.**

MANAGER REPORT: Township Manager Michael Bowersox had nothing else to add to his submitted report (copy on file).

Supervisor Ault made a motion to approve the Manager's Report as given, seconded by Supervisor Rynearson. **Motion carried.**

OLD BUSINESS: None.

NEW BUSINESS:

- A. Motion to approve Tax Exemption for Daniel M. Szetela.

Supervisor Ault made a motion to approve Tax Exemption for Daniel M. Szetela, seconded by Supervisor Hartlaub. **Motion carried.**

- B. Motion to cancel the July 7, 2022, Board of Supervisors Work Session.

Chairman Ault told those present that two people will be a vacation and Supervisor Hartlaub asked who would be on vacation. Supervisor Rynearson said, Mike and Miriam.

Supervisor Ault made a motion to cancel the July 7, 2022, Board of Supervisors Work Session, seconded by Supervisor Rynearson. Supervisors Ault, Franks, Rynearson, and Wetzel voted “yay” and Supervisor Hartlaub voted “nay” the **Motion carried.**

C. Letter from Barley Snyder requesting a waiver of late fees imposed by the Township for past due Stormwater Assessment Fees on properties owned by Burkentine Builders.

Supervisor Ault made a motion to deny the waiver request and that all late fees imposed, seconded by Supervisor Hartlaub. **Motion carried.**

D. Motion to advertise Ordinance Controlling Vehicles and Traffic within West Manheim Township

Township Manager Michael Bowersox told those present that the Township has to ordain every stop sign, speed limit sign, and no parking zone sign. So, over time with new developments and new roads adopted by the township, there are stop signs that have not been codified by ordinance yet and this particular ordinance will codify those stop signs, speed limit signs, and no parking zone signs in areas where they have not been codified yet.

Supervisor Ault made a motion to advertise Ordinance Controlling Vehicles and Traffic within West Manheim Township, seconded by Supervisor Rynearson. **Motion carried.**

E. Motion to authorize the closing of the Sewer Fund Bank Account and the Sewer Reserve Fund Bank Account at Peoples’ Bank and transferring the balances to the General Fund.

Supervisor Ault made a motion to authorize the closing of the Sewer Fund Bank Account and the Sewer Reserve Fund Bank Account at Peoples’ Bank and transfer the balances to the General Fund, seconded by Supervisor Wetzel. **Motion carried.**

F. Motion to consider adoption of zoning text amendments and zoning map change.

Supervisor Ault made a motion to consider adoption of zoning text amendments and zoning map change, seconded by Supervisor Rynearson. **Motion carried.**

G. Motion to advertise corrective zoning map change and zoning text amendments and schedule a public hearing.

Supervisor Ault made a motion to advertise corrective zoning map change and zoning text amendments and to have the Township Manager Michael Bowersox schedule a public hearing. At this point Solicitor Paul Minnich came up to the podium and said that the agenda is a little unclear between items F and G with regards to what G relates to. Township Manager Michael Bowersox explained that the zoning map changes that the Board just adopted had three parcels that are part of the Woodridge Hunt Homeowners Association and were added by mistake to the commercial area. This zoning map change will correct that mistake by putting those three parcels back into the farming district. The text amendments are to remove from the business center district hotels, motels, and residential as an accessory use above commercial. Mr. Minnich then said if he could note for the record, that he was here for Burkentine on one item relative to the fees and certainly understand the Board's position on that issue. However, they do have some concerns relative to any potential text amendments that impact the business district. Mr. Minnich said that it was unclear under the meeting agenda under Act 65 requirements that was in play, but we do have substantive objections to that as well. Mr. Minnich told the Board members that they understand that the Board may elect to move forward relative to that, but they wanted to express their concerns.

When Mr. Minnich was finished speaking, Supervisor Ault reminded the Board members that he had a motion on the floor for item G for a zoning map change and zoning text amendments and to schedule a public hearing for that, Supervisor Wetzell seconded the motion. **Motion carried.**

H. Motion to approve renewal of five-year fire, life safety, and access control services (sprinkler and fire alarm systems at the municipal building) at a cost of \$1062.63 for sprinkler and \$923.59 for fire alarm essential service and \$550 for alarm and detection monitoring for a total of \$2536.22.

Supervisor Ault made a motion to approve the renewal of five-year fire, life safety, and access control services (sprinkler and fire alarm systems at the municipal building) at a cost of \$1062.63 for sprinkler and \$923.59 for fire alarm essential service and \$550 for alarm and detection monitoring for a total of \$2536.22, seconded by Supervisor Rynearson. **Motion carried.**

I. Motion to hire Victor Velez as a part-time EMT at the rate per the IAFF collective bargaining agreement

Chairman Ault asked Township Manager Michael Bowersox if he had done a background check and interviewed Mr. Velez and Township Manager Michael Bowersox said he had not done a background check. Mr. Bowersox explained that they were not sure he was going to accept the position, but before he is hired the background check would be done.

Supervisor Ault made a motion to hire Victor Velez as a part-time EMT at the rate per the IAFF collective bargaining agreement as long as he meets all hiring requirements, seconded by Rynearson. **Motion carried.**

SUBDIVISION PLANS:

A. Motion to approve 99 Pheasant Ridge Road – 3 Lots Final Minor Subdivision Plan (Review Time Expires 8/18/2022).

John Runge from Gordon Brown and Associates was present to represent DR Acquisitions. Mr. Runge explained that this three-lot subdivision plan was part of Prinland Heights. He told the Board members that within Prinland Heights there was a single-family home that was in the center of that site that DR Acquisitions developed around that lot and since Prinland Heights was approved, DR Acquisitions has purchased that lot and working with the township's engineer, they have subdivided that into three lots.

Township Engineer Cory McCoy told the Board members that during the construction of Prinland Heights Phase 1, the area in question was in the middle of the construction and CS Davidson knew that this area was going to be subdivided. He told the Board members that utilities were provided already so all three lots have sanitary sewer laterals installed and water services. He said that there are only two outstanding comments that need to address, the owner's notarized signatures and any outstanding fees.

Mr. Runge said that he had plans with the necessary signatures.

Supervisor Ault made a motion to approve the approve 99 Pheasant Ridge Road – 3 Lots Final Minor Subdivision Plan, seconded by Supervisor Wetzel. **Motion carried.**

B. Motion to approve the waiver request for Keel, LP -Phase II waiver request/modification requested.

1. Waiver request to the West Manheim Township Subdivision and Land Development Ordinance, Chapter 235, Article IV Plan Requirements, §235-53 Hydrogeologic and groundwater assessment report. A. A hydrogeologic and groundwater assessment report is required to be submitted at the time of the submission of the application for approval of the preliminary plan, in accordance with §§ 235-11 and 235-33, respectively, of this chapter. As such: (3) A hydrogeologic and groundwater assessment report is required for all proposed land development projects when any of the following conditions are present: (b) All proposed residential developments, including phased development, containing five or more lots, either initially or cumulatively, of any size. In lieu of preparing the Hydrogeologic and groundwater assessment report, the applicant has drilled the proposed wells and provided the well reports from the well driller for the data associated with each well.

Supervisor Ault made a motion to table the waiver request, seconded by Supervisor Rynearson. Motion carried.

C. Consideration of conditional approval pending outside agency approvals for Modwash Land Development.

Township Engineer Cory McCoy told board members that the Developer has resubmitted new plans last Monday and he has not had time to do a complete review but after a quick review, he noted there are still some minor stormwater comments that need to be addressed. He said going over the plan he believes they have addressed the significant comments.

Mark Zimmerman from Morris Knowles & Associates, Inc. told the Board members that what they are asking for today was a discussion on whether the Board would approve their land development plan to move forward with a condition that the HOP permit is still pending. He told board members that they have gotten through the traffic scoping based on information they requested outside a typical traffic scoping application, which took a couple of months due to the terrible weather conditions. He said that what they are looking to do is once they get through the township's engineer's comments, they have the other outside agencies' approvals, and they are just looking for discussion on whether the Supervisors would consider approving the plan pending the HOP permit from PennDOT.

Township Manager Michael Bowersox asked Township Engineer Cory McCoy if he anticipated any problems with the HOP and Mr. McCoy said that it was impossible to tell and that the plan still needed to go back to the Planning Commission to get their recommendation. He told the Board members that in previous experience, the Board did not approve plans until PennDOT approval is received, an E&S permit is received, and any general permits are received. The Developer is asking for some direction on how to move this plan forward. Township Engineer Cory McCoy said that the waiver for installing curbing was authorized last month, and the requirement to install a sidewalk has been placed on the plans. He then said it is impossible to tell what PennDOT could require above and beyond a typical access permit for access to the site. The Township's Engineer's only concern is what if PennDOT would require something that is not currently shown on the plan and deemed significant enough to have the plan come back before the Board to look at and modify those plans.

Supervisor Hartlaub questioned approving the plan when the state has not approved the plan. He expressed that the Board should wait to approve the plan.

Township Manager Michael Bowersox asked Mr. Zimmerman if he could clarify what he thought they were asking for and correct him if he was wrong. He then said that the Planning Commission said that they did not want to see the plan until you have the HOP permit. So, they do not have that, yet; it is being worked on and you would expect it...Mr. Zimmerman said three months. Then Township Manager Michael Bowersox said to the Board members that they were not approving anything tonight; he is just asking if he presents this plan to the Planning Commission to review and the Planning Commission gives the Board a recommendation, which could potentially result in the land development plan coming to the Board asking for a conditional approval pending the HOP permit. Mr. Zimmerman agreed with the Manager and told the Board members that he would provide all comments from PennDOT you get through the first round and then after that it is all administrative such as letters of credits, and things of that nature.

Chairman Ault asked Mr. Jim Myers, Chairman of the Planning Commission what his opinion was on the request. He said that he would think that if they have all their ducks in a row, that the Planning Commission gets to see the plan a conditional approval could be given. He said that it would be up to them. If PennDOT comes back with something else that is needed, they would have to meet that anyway so there would be no conditional approval.

Township Engineer Cory McCoy said that the way he sees that playing out is if PennDOT denies the permit, then the conditions of that approval are not met. If they require any modifications to the plan as that plan is shown at the time of that conditional approval, they will need to come back to the Board to show them what revision PennDOT is requiring with their permit. Mr. McCoy said Mr. Zimmerman is just looking for direction at this point. He explained that they feel they have addressed the significant comments to bring it in front of the Planning Commission. Mr. McCoy said all they want to know is once they receive that conditional approval from the Planning Commission, can they request to be put on the Board's agenda to be considered for conditional approval with the only outstanding comment being the PennDOT approval.

Township Manager explained that if the Board is not going to consider giving them conditional approval no matter what the circumstances are, then that is what they are going to tell them. He explained that this is not their typical large subdivision plan it is a carwash. They want to build it now. He said if Penn DOT would not issue the highway occupancy permit, then they go away. The Township Manager said that he did not know what they were risking here by saying...he then asked the Township Engineer Cory McCoy if he was wrong. Township Engineer Cory McCoy again said that the only thing that he sees was that Penn DOT would require something that was outside what the plan showed. If PennDOT denies the permit altogether, then the condition of the approval is not met.

Supervisor Ault made a motion to consider giving conditional approval pending outside agency approvals for Modwash are met, seconded by Supervisor Rynearson. **Motion carried.**

D. EXTENSION REQUESTS PER DEVELOPER LETTERS:

1. Motion to approve the extension requests for Keel LP., Phase II 6 Lots – Preliminary Plan (Review time expires 6/22/ 2022) through December 21, 2022.

Supervisor Ault made a motion to approve the extension requests for Keel LP., Phase II 6 Lots – Preliminary Plan through December 21, 2022, seconded by Supervisor Rynearson. **Motion carried.**

E. ALL TO BE TABLED:

Belmont Ridge Phase V, 203 Lot Preliminary Plan (Review time expires 09/21/2022)

Belmont Ridge Phase V, 172 Lot Parallel Plan Preliminary Plan (Review time expires 09/21/2022)
Fox Meadows - 7 Lots – Preliminary /Final Subdivision Plan (Review Time Expires 09/21/2022)
Modwash Land Development Plan (Review Time Expires 09/21/2022)

Supervisor Ault made a motion to table the following plans to the date that is shown: Belmont Ridge Phase V, 203 Lot Preliminary Plan (Review time expires 09/21/2022); Belmont Ridge Phase V, 172 Lot Parallel Plan Preliminary Plan (Review time expires 09/21/2022); Fox Meadows - 7 Lots – Preliminary /Final Subdivision Plan (Review Time Expires 09/21/2022); Modwash Land Development Plan (Review Time Expires 09/21/2022), seconded by Supervisor Rynearson. **Motion carried.**

SUPERVISORS AND/OR PUBLIC COMMENTS: Supervisor Ault and Township Manager Michael Bowersox asked if anyone wanted to approach the Board members and Andy Hoffman (via GoToMeeting), 2575 Baltimore Pike asked what the York County Planning Commission comments on the rezoning issues were. Township Solicitor David Jones told Mr. Hoffman that they met today and that the township had not received their comments. Mr. Hoffman told the Board that they were going to make a massive change to the township's zoning, and they have not considered whether the York County Planning Commissioners, a professional organization, would recommend not adopting the changes. Mr. Hoffman said that he was appalled and then thanked them for their time.

Chairman Ault asked if anyone else from the public wanted to comment and Supervisor Rynearson wanted the record to show that the York County Planning Commission did not say not to adopt it, right? Solicitor David Jones answered that he did not believe so; we do not have their comments back. Supervisor Rynearson agreed that the Township had not received their comments. Mr. Hoffman then said that he was telling the Board what the comments were because he listened in on the meeting today.

Chairman Ault had two issues to bring before the Board. First, at the last meeting, they talked about buying a used trailer. He told board members that the used trailer was delivered, and he and Supervisor Franks inspected it and it was not in good shape for the Board to purchase. They sent the trailer back. He told everyone present that it was a used trailer that the dealer wanted to sell for \$7,500 and it had a lot of damage to it and they were not interested in entertaining the idea of repairing it.

The second, Chairman Ault asked Township Manager Michael Bowersox to research online media software. Township Manager Michael Bowersox told Chairman Ault that staff is already looking at a better online media software system and will have information for the next board meeting.

Township Manager Michael Bowersox reminded board members that they had asked him to put the grader on Municibid with a \$30,000 reserve and the high bid was \$24,000. He told them that since it did not meet the reserve it was not an automatic sale, but you can have the opportunity to contact the bidder and offer it to the bidder at the price they bid on at \$24,000. Chairman Ault asked for this to be on the next board meeting agenda.

Jim Staaf, 25 Oakhills Drive had a question about the township generator and Township Manager Michael Bowersox told him it was running fine.

NEXT SCHEDULED MEETINGS: Public Hearing and Supervisors Work Session – Thursday, July 7, 2022, CANCELLED at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Supervisors Regular Meeting - Tuesday, JULY 19, 2022, at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

ADJOURNMENT: Chairman Ault made a motion to adjourn the meeting at 8 p.m., seconded by Supervisor Rynearson. **Motion carried.**

Respectfully,

Secretary

Chairman