

MINUTES

Those in Attendance: Chairman Dylan Coleman, Vice-Chairman Jason Myer, Supervisors: Keith Landis, Adam Bills and Bob Devonshire, Secretary/Treasurer Karen Farra, Township Manager David Thompson, Zoning Officer Walter Hockensmith, Roadmaster Blaine Stoltzfus, Township Sewer Authority Chairman Bryan Stoltzfus, Township Parks Maintenance Supervisor Adryan Yothers, Ray Rice, Christy Fieldsa, Logan Fieldsa, Kurt DeVore, Chris Slaymaker, Jim Knosp, Dan Groff, Wanda Ranck, Wendall Ranck, Henry Stoltzfus, Samuel L. Esh, Sam Fisher, April Fankhauser, Victoria Durmaz, Josiah Durmaz, Christiana Durmaz, Barry HI Durmaz, Representatives of Paradise Boy Scout Troop #28, Deborah Boynton, Elmer E. Fisher, Dwight Groff, Charles Groff, Donna Pauls, Jeff Pauls, Cindy Hockensmith, Darren Neff, Nick Lopez, Joshua Knosp, Bill Rogers, Sonny Albright, Amos Fisher, Allen Fisher, John Fisher, Mike Thorley, Alvin King, Amanda Groff, Eldon Stoltzfus, Samuel K. Fisher, Barry Yunkin, Taylor Yunkin, Amos Fisher, Jr., Elmer P. Esh, David P. King, Ivan King, Jacob King, Jonas Fisher, Cathleen Kropiewnicki, Christ Beiler, Alvin Fisher, Neil Hershey, Cling Yonce, David Johnson, Travis Hoover, Joey Narewski, Daniel Beiler and other persons who did not sign in.

CALL TO ORDER/FLAG CERMONY AT 7:08 P.M.

PUBLIC HEARING

Mr. Coleman and Ms. Farra presented and explained the scope of the below Ordinances. Ms. Farra answered various questions from Clint Yonce and other members of the public regarding the burning ordinance. Mr. Devonshire referred the public to Act 101, which sets forth the state requirements for townships to institute a recycling program and burning ordinance. Mr. Devonshire and Mr. Coleman encouraged everyone to reach out to their State Representatives with concerns regarding these requirements.

- Vice Chairman Jason Myer **motioned** to adopt Ordinance No. 2024-1, Second Amendment to the Burning Ordinance, as advertised on February 1, 2024. Second by Adam Bills. All Ayes. **Motion Adopted.**
- Keith Landis **motioned** to adopt Ordinance No. 2024-2, An Ordinance Establishing a Recycling Program within Paradise Township in Accordance with the Lancaster County Solid Waste Management Plan and the Requirements of Act 101 of the Commonwealth of Pennsylvania, as advertised on February 1, 2024. Second by Bob Devonshire. All Ayes. **Motion Approved.**

MINUTES

- Adam Bills **motioned** to approve the Board of Supervisors Workshop Meeting Minutes for December 12, 2023. Second by Jason Myer. All Ayes. **Motion Approved.**
- Review/Approve the Board of Supervisors Meeting Minutes for December 19, 2023. Bob Devonshire indicated that in the public comments section regarding his appointment to the Board of Supervisors, in Barry Yunkin's comments, "fire company" grants needed to be changed to "County" grants. Adam Bills **motioned** to approve the Board of Supervisors Meeting Minutes for December 19, 2023 with this noted revision. Second by Jason Myer. All Ayes. **Motion Approved.**

- Bob Devonshire **motioned** to approve the Board of Supervisors Reorganization Meeting Minutes for January 2, 2024

TREASURERS REPORT/BILLS

- Adam Bills **motioned** to approve the December 2023 Treasurer’s Report. Second by Jason Myer. All Ayes. **Motion Approved.**
- Adam Bills **motioned** to approve the January 2024 Disbursement List of Bills to be paid. Second by Jason Myer. All Ayes. **Motion Approved.**
- Adam Bills **motioned** to approve the January 2024 Treasurer’s Report. Second by Jason Myer. All Ayes. **Motion Approved.**
- Ms. Farra presented the February 2024 Disbursement List of Bills to be Paid. The following public comment was received:
 - Mrs. Wanda Ranck asked if the list provided for reimbursement of 2022 expenses to Paradise Leaman Place Fire Company. Mr. Coleman advised that no reimbursements have been approved at this time, but will be discussed and addressed at a later time.

Adam Bills **motioned** to approve the February 2024 Disbursement List of Bills to be paid. Second by Jason Myer. All Ayes. **Motion Approved.**

PERSONS TO BE HEARD:

SUBDIVISION/LAND DEVELOPMENT – BRIEFING ITEMS

- Amanda Groff, Harbor Engineering – MK Legacy, LLC – 15 S. Kinzer Rd – Preliminary/Final Land Development and Lot Add-on Plan. Ms. Groff presented the proposed plans to the Board of Supervisors and addressed concerns regarding emergency services access, site distances, screening and truck turning radii, traffic impacts, potential for throughway to Hoover Road in Salisbury Township, speed study and recommendation for reduction of speed limit on Kinzer Road to 35mph from 45mph and access signage at Route 30 and S. Kinzer Road.

Public Comment:

- Deborah Boynton: Ms. Boynton asked if development will be residential or business. Ms. Groff said business. Ms. Boynton expressed concerns regarding increased traffic and potential for more accidents. Mr. Thompson explained that this is part of the ongoing discussions. The Township and developers are trying to anticipate potential issues, but there is no way to really know until there is an issue. He said, unfortunately, PennDOT will not do anything either until there is an issue.
- Wanda Ranck: Mrs. Ranck asked if business (developer) pays for the road improvements. Mr. Thompson explained that sometimes they do, but in this case, they will not as a result of the property not having been added to the Comprehensive Plan designated growth area when re-zoned.

- Unidentified Resident: An unnamed gentleman asked how many trucks per day are anticipated. Ms. Groff said 6-8 trucks per day. Mr. Thompson clarified that this is a cumulative total for all proposed businesses being considered.
- Ms. Groff presented request for adoption of sewer module Resolution for Plan Revision for New Land Development, Resolution No. 2024-3, for the 15 S. Kinzer Road project. Bob Devonshire **motioned** to adopt Resolution No. 2024-3. Second by Adam Bills. All Ayes. **Motion Approved.**

SUBDIVISION/LAND DEVELOPMENT – ACTION ITEMS

- Jason P. Shaner, Impact Engineering – Charles L. & Janet L. Groff – 35 S. Kinzer Rd – Revised Final Subdivision Plan. Mr. Shaner present the subdivision plan, pointing out that the plan is for subdivision only with no land development, and requested conditional approval of the plan.

Public Comment:

- Wanda Ranck: Mrs. Ranck asked if there were going to be a bunch of houses built here. Mr. Shaner and Mr. Thompson said there is no plan for any building at this time. They advised the property is in the Commercial/Industrial Zoning District, which requires a minimum of 1 acre for residential development and Zoning Hearing Board approval of a variance.
- Deborah Boynton: Ms. Boynton asked if residential housing could ever be built here. Mr. Bills advised residential uses are prohibited in the Commercial/Industrial Zoning District unless a variance is approved by the Zoning Hearing Board.

Following public comment, Jason Myer **motioned** for conditional approval of the Revised Final Subdivision Plan. Second by Adam Bills. All Ayes. **Motion Approved.**

- Mike Thorley, Chrisland Engineering – M. Land Develop, LLC – Vintage Business Park Lots 16 & 17 Final Subdivision & Land Development Plan. Mr. Thorley presented the subdivision and land development plan with a request for approval of the below noted modification requests, and conditional approval of the plans.
 - Adam Bills **motioned** for approval of the Request for Modification of Subdivision and Land Development Ordinance (SALDO) Sections 603.1.F & 603.1.G – Minimum Distance to side property lines to allow for a minimum distance of 10’ between the access drives and the side property lines. Second by Bob Devonshire. All Ayes. **Motion Approved.**
 - Adam Bills **motioned** for approval of the Request for Modification of SALDO Section 504.4.a.4 – All storm sewer pipes need to be a minimum diameter of 18” to allow for a minimum diameter of 15”. Second by Bob Devonshire. All Ayes. **Motion Approved.**

- Jason Myer **motioned** to approve request for conditional approval of plan. Second by Keith Landis. All Ayes. **Motion Approved.**
- Bill Rogers, AET Consulting, Inc. – Stevie Fisher – 74 London Vale Road – Stormwater Management Plan (new barn). Mr. Rogers presented the Stormwater Management Plan for conditional approval advising the below noted waiver requests have been withdrawn and the plans amended to comply with the ordinance requirements.
 - **Withdrawn.** Request for Waiver from Section 404.2.E. of the Stormwater Management Ordinance (SWMO) – Project Location & Identification. Waiver from providing bearings & distances of the parcel boundary, and from showing the entire tract boundary.
 - **Withdrawn.** Request for Waiver from Section 404.3.A.3 of the SWMO – Existing Features. Waiver from providing surveyed contours.
 - Adam Bills **motioned** to approve request for conditional plan approval. Second by Jason Myer. All Ayes. **Motion Approved.**
- Sonny Albright, TeamAg, Inc. – Cherry Crest Farms – 150 Cherry Hill Rd – Stormwater Management Plan (Proposed Building). Mr. Albright presented the below noted modification requests for approval, and the Stormwater Management Plan for conditional approval. Mr. Albright indicated that they are currently working with the Township Sewage Enforcement Officer to obtain approval for the proposed holding tank. At the request of Mr. Devonshire he also provided justification/explanation for the modification requests.

Chairman Dylan Coleman and Vice-Chairman Jason Myer provided statements recusing themselves from voting on this project due to a potential conflict of interest.

- Bob Devonshire **motioned** for approval of Request for Modification of Section 404.3.C.5 – Wetlands: Request to not require a wetland determination. Second by Keith Landis. All Ayes. **Motion Approved.**
- Bob Devonshire **motioned** for approval of Request for Modification of Section 504.4 – Conveyance: Request to utilize 8” diameter stormwater conveyance pipe instead of 18”. Second by Keith Landis. All Ayes. **Motion Approved.**
- Bob Devonshire **motioned** for approval of Request for Modification of Section 506.1.B.(1) – Volume Control: If necessary, request not to require a pre-development meadow conditions for volume control in cases where agricultural land is converted from traditional farming practice to land cover, such as grass. Second by Keith Landis. All Ayes. **Motion Approved.**
- Keith Landis **motioned** to approval request for conditional approval of plans. Second by Bob Devonshire. All Ayes. **Motion Approved.**

- Eldon Stoltzfus, Vintage Acquisitions, LLC – Vintage Business Park Phase 1 – Lots 4, 5 & 14. Mr. Stoltzfus presented letter advising of decision not to move forward with this project at this time and requesting release of sewer and township letters of credit. Jason Myer **motioned** to approve request for release of letters of credit. Second by Adam Bills. All Ayes. **Motion Approved.**
- Eldon Stoltzfus, Vintage Acquisitions, LLC – Vintage Business Park – Lot 7. Mr. Stoltzfus presented request for approval of below noted deferrals.
 - Jason Myer **motioned** to approve request for deferral from starting construction of building on approved plan at this time, and instead installing the approved stormwater management controls, driveway and gravel area in both the area approved in the current plan, and in the area of the building. Second by Adam Bills. All Ayes. **Motion Approved.**
 - Adam Bills **motioned** to approve request for deferral from providing full financial security amount as provided for with approved plan, and instead provide financial security in the amount of \$47,984.20 (as recommended by Rettew). Second by Jason Myer. All Ayes. **Motion Approved.**
- Donald & Doris Neff – 51 Iva Road – Final Subdivision and Stormwater Management Plan. Bob Devonshire **motioned** for approval of request for full release of \$50,878.03 financial security. Second by Adam Bills. All Ayes. **Motion Approved.**
- Benuel Fisher – 113 Esbenshade Road. Adam Bills **motioned** to approve request for full release of financial security. Second by Bob Devonshire. All Ayes. **Motion Approved.**
- April Fankhauser provided information regarding well water issues for residents in the Village of Paradise Subdivision, indicating many of them have wells that go dry and require them to have water delivered. She described steps she has personally taken to reduce water use and cited examples of when she lost water. She indicated she wanted to open a dialogue with the Township about this issue and start a discussion about what can be done to resolve this issue. She understands from her conversations with the Township that water feasibility studies were done during the development stages, but regardless, there are still water supply issues. Multiple residents from the Village of Paradise, who did not identify themselves, offered their experiences with poor water availability, their fracking and conservation efforts, and well pump replacements. Mr. Bills asked Nick Lopez, the Township’s former Zoning Officer, if he could explain the well testing requirements at the time this subdivision was going through planning and development. Mr. Lopez explained the well draw down requirements and that these requirements were applied to every well drilled. He said letters were sent to neighboring property owners about the draw down testing as well. Mr. Hockensmith explained that his home backs up to this development. Prior to the construction of the homes, his well water supply would last for a week, but now only lasts for 3 days. He utilizes an above-ground cistern to maintain a water supply. An unnamed resident of the Village of Paradise development advised his well is 500’ feet down. He has hydro-fracked several times and has considered getting a new well, but is concerned about how that will affect his

neighbors. He indicated that in talking with Neff's Water, he has learned that this is a problem throughout the community, not just in this development. He also noted concerns about the blasting done at the quarry and how that affects the geology. He said people are soaking their savings trying to keep their wells open, and he feels the Township needs to look at public water supply and grant opportunities. Multiple residents voiced concerns about continued development in the area making the water supply issues worse. Cindy Hockensmith stated this is a problem she and her family have dealt with for 40 years. She indicated there are multiple residents in the Township who have cisterns like she does as water supply has been an issue in the area for decades. She pointed out that there is no one to call when your cistern needs cleaned or repaired; her husband has to do it.

Mr. Coleman advised he understands the issues as he has experienced water supply issues in the past at his property on Cherry Hill Road. Unfortunately, there is no immediate answer to resolving the problem.

Mr. Thompson advised he can reach out to Rettew to discuss the matter, but the Township needs a clearer picture of the magnitude of the problem. Discussion was had regarding the survey he prepared and sent to Mrs. Fankhauser to share with her neighbors and anyone else she knows who is experiencing water supply issues. Once responses are received, the Township will have a better understanding of where the issues are and how many people are being affected. He said he has spoken with other municipalities about water issues and explained it could take 10 to 20 years for public water to be made available at an extensive cost to the Township and its' taxpayers. He agreed that there are grant programs out there, but they are intensely competitive and hard to get. Mr. Thompson explained the need for grassroots efforts to obtain the background information needed in order to quantify the issue before bringing in experts to look into the best way to fix the problem. He said this is the purpose of the survey; however, at this time, only 4 responses have been received. It was resolved efforts would be made by the Township and Mrs. Fankhauser to disseminate the survey in order to maximize responses.

Mr. Hockensmith advised that it cost \$25 Million for public water to be supplied to one area in Intercourse 5 years ago, so the cost today would likely be at least double that.

Mr. Bills stated the water feasibility study done at the time the development was proposed was good. Mr. Lopez supported this stating draw down testing and water feasibility studies were completed for each section of the subdivision.

Discussion was had amongst all regarding installation of holding tanks or cisterns. Many residents feel this is just something that will cost them more money and is only putting a band-aid on the problem. Mr. Coleman pointed out the need for an interim resolution pending determining the feasibility of providing public water service, and the time to install the service if it is determined to be the best course of action. When overdevelopment was mentioned as a potential cause for some of the water supply issues and questions asked about how the new apartment complexes and the like supplied water, Mr. Hockensmith advised that many of them utilize holding tanks. He said the new apartment buildings have a 5,000 to 8,000 gallon holding tank in the basement. He said the Bank of Bird-in-Hand complex also utilizes a holding tank. The wells on the properties fill the tanks

from which the water is drawn to service the residents/tenants. Deborah Boynton commented the Township needs to stop all building until the water issues can be addressed. Mr. Coleman responded that the Township cannot do that.

It was resolved Mr. Thompson would look to modify the survey based on recommendations from the residents of Village of Paradise and develop a plan to provide for mass dissemination of the survey so as to provide the Township a better picture of the extent of the water supply issue.

PUBLIC COMMENT:

- Christy Fieldsa. Mrs. Fieldsa asked if the plan to construct apartments by The Factory was still being considered. Mr. Coleman said there are no plans at this time, but the Township cannot deny plans that meet all of the requirements. Mrs. Fieldsa asked if the Township could enact stricter requirements. Mr. Thompson responded that it could, but restricting rights becomes a slippery slope.
- Barry Durmaz. Mr. Durmaz said he appreciates being informed about the water issues and provided some ideas with regard to the burning ordinance as follows: (1) Normally, an ordinance sets forth the letter of the law. It would help for people to know the purpose or spirit and meaning behind the letter of the law. (2) There is the principle of consent to consider. Just because a law comes down from the State or Federal government, it doesn't mean the Township has to adopt that law. It can object. As an example, he shared his experience obtaining a passport. He said the application for a passport requires you provide a social security number; however, he has the right to not divulge any information that could be used against him. In applying this knowledge, he was able to successfully obtain a passport 9 times without ever providing a social security number. Mr. Durmaz said there needs to be an effort made to have individual expression while maintaining the peace. He would like to see peace come to the Township with the consideration the people is where government starts.
- Amos Fisher. Mr. Fisher asked when Route 741 will be closed for the bridge repair. Mr. Thompson advised it will be happening soon. He said PennDOT is installing temporary traffic lights and putting all aspects of the detour in place, but no dates for the culvert repair have been provided to the Township yet.
- Wanda Ranck. Mrs. Ranck asked if the Township has an emergency preparedness plan in place. Mr. Devonshire said in his position as the Township Emergency Management Coordinator, there are plans out there. The County has a plan in place that will trickle down to the Township. Currently, he is working on completing training to become certified and will work toward getting that information out to the community afterwards.

CORRESPONDENCE:

- Mr. Thompson presented the December 26, 2023 PennDOT letter advising they will conduct a traffic study at the intersections of Georgetown Road and White Oak and Belmont Roads. He explained the traffic lights being installed in this area are temporary for the detour for the culvert repair on Route 741 at Keneagy Hill Road. However, PennDOT has advised they will be making safety improvements at these intersections to include lighted signs.

TOWNSHIP REPORTS

TOWNSHIP MANAGER

- Updates/Report by Township Manager, David Thompson.

ROADMASTER:

- Updates/Report by Roadmaster, Blaine Stoltzfus.

EMERGENCY SERVICES

- Mr. Thompson presented the December 2023 and January 2024 Emergency Services Call Report.
- Mr. Coleman presented Resolution No. 2024-4 Revising First Due Response Territories, explained the changes being made and opened the matter for discussion. He indicated it is his hope everyone can move forward from the past 2 years, stop pointing fingers, and start working together and giving a little. Wanda Ranck asked if Paradise Leaman Place Fire Company (“PLPFC”) is getting their first due back. Mr. Coleman said that is what is being discussed now.

Mr. Coleman explained that a mutual aid agreement between all of the fire companies serving Paradise Township was in the process of being drafted. Mr. Devonshire explained the agreement would provide for and encourage working together, training together and sharing resources. The goal being to work towards getting everyone to work together.

Public Comment:

Ms. Deborah Boynton. Ms. Boynton asked why the fire companies are sharing financial resources when some are better stewards of their money than others. Mr. Devonshire explained they would not be sharing financial resources, but rather equipment and apparatus. She also asked what happens if the fire companies are not able to reach an agreement – what if there is one person who will not agree. Mr. Coleman said that would have to be addressed when it happens. He explained the strategic planning meeting that everyone attended the prior week. He said it would be his recommendation that the Township utilize the presenter at that meeting as a resource to work out any issues, as he thinks the members of the fire companies that attended the meeting respected him.

Mr. Steve Shearer. Mr. Shearer asked how future financial contributions from the Township will be split up between the fire companies. Mr. Coleman said that is a subject that has not yet been decided and will need to be discussed with the fire companies. It was explained that all funds disbursed this year were done so equally (\$40,000 to PLPFC, \$40,000 to PVFD and \$20,000 to PVFD Ambulance). Mr. Shearer questioned the amounts contributed given the PVFD Gordonville Station is in Leacock Township, so PVFD receives a contribution from

Leacock as well. He also asked if Leacock Township gives any funds to Paradise Township. Mr. Bills said no monies are exchanged between Townships. Each Township makes contributions directly to the fire companies that support them. Mr. Devonshire said all financial contributions from townships go to the fire companies, the benefits of which are realized by the people they serve. Later, Mr. Shearer asked if there any plans to build a new station. AJ King responded there are not.

Barry Durmaz. Mr. Durmaz asked how the mutual aid agreement will be enforced and what happens if it is violated. Mr. Coleman said the fire companies will come up with the agreement and they will be self-regulated. Mr. Durmaz said this is a good principle. The manager manages the agreement – this will bring to light any issues.

In response to various comments, Mr. Coleman said the Township needs to protect its volunteers and that from the Township’s perspective, it does not want, nor can it afford, to support professional fire services. Mr. Bills said the first due map as presented sets which fire company covers what territory, and the mutual aid agreement will delineate who is on boxes and other operational standards.

PLANNING COMMISSION:

- Updates by Vice-Chairman, Allen Fisher.

ZONING HEARING BOARD:

- Reports by Zoning Officer, Walter Hockensmith.
- Jacob K. King, Stonehedge Holdings, LLC – 3130, 3132 & 3134 Lincoln Hwy. East. Adam Bills **motioned** to ratify January 30, 2024 Notice of Violation – Nuisance Ordinance No. 4-1982, Section 2(C), The Storage, Accumulation or Depositing of Garbage, Ashes, Rubbish or Other Refuse Matters. Second by Bob Devonshire. All Ayes. **Motion Approved**.

PARK & RECREATION COMMISSION:

- Park Foundation Chairman, Michael Hartmann, was unable to be present to provide updates.
- Adam Bills **motioned** to approve request to purchase new zero turn mower. Second by Jason Myer. All Ayes. **Motion Approved**.
- Jason Myer **motioned** to approve request for purchase and installation of security camera system throughout the park. Second by Keith Landis. All Ayes. **Motion Approved**.

SEWER AUTHORITY & SEO:

- Updates by Sewer Authority Chairman, Bryan Stoltzfus. He advised the Authority is currently working with Rettew to create a Developers Agreement that sets forth the specification for connecting to public sewer. With regard to the sewer plant upgrades, he advised it is currently looking like the upgrades will be completed by the middle to end of 2025. Weekly meetings are being held and all seems to be running on time even though they are still experiencing some supply chain issues.

- December 4, 2023 Minutes of Paradise Township Sewer Authority.
- January 8, 2024 Minutes of Paradise Township Sewer Authority.
- 2023 OLDS Summary.
- Equipment Co-op Year-End Summary for 2023. Mr. Thompson commented that there is a need to look at capital planning for the Co-op equipment and suggested scheduling a meeting with the other Township in the Co-op to discuss contributing funds towards a capital budget. The Board of Supervisors agreed with this course of action.

OLD/NEW BUSINESS:

- Adoption of Associated Building Inspections 2024 Fee Schedule. Mr. Thompson advised the only change to this fee schedule is that ABI reinstated their courier fee, which is charged for each trip, to and from, the Township. He further stated he did not appreciate the owner of ABI's unfounded accusation that Mr. Hockensmith was steering people away from ABI and then threatening legal action. After discussion, Keith Landis **motioned** to adopt Associated Building Inspections' 2024 Fee Schedule. Second by Bob Devonshire. All Ayes. **Motion Approved.**
- Keith Landis **motioned** to adopt Commonwealth Code Inspection Services' 2024 Fee Schedule. Second by Bob Devonshire. All Ayes. **Motion Approved.**
- Adam Bills **motioned** to approve Girl Scout's request to use lower gravel parking lot for annual cookie sale on March 30, 2024 from 10am to 1pm. Second by Jason Myer. All Ayes. **Motion Approved.**

Public Comment: Wanda Ranck asked if there is a plan for a rain date. Christy Fieldsa advised of other locations and dates for cookie sales and that, as Girl Scouts, they always come prepared for inclement weather by bringing tents and dressing appropriately.

ANNOUNCEMENTS: None.

ADJOURN: At 9:50 p.m., Adam Bills **motioned** to adjourn meeting. Second by Bob Devonshire. All Ayes. **Motion Approved.**

Respectfully Submitted By:

Karen Farra, Secretary/Treasurer