

WORKSHOP MINTUES

Those in Attendance: Chairman Adam Bills, Supervisors Ray Rice and Samuel Beiler, Secretary/Treasurer Karen Farra, Zoning Officer Walter Hockensmith, Township Solicitor Frank Mincarelli, Township Roadmaster Blaine Stoltzfus, Township Park Maintenance Adryan Yothers, Raymond King, Roger A. Fry, PLS, and Jim Knosp.

CALL TO ORDER AT 10:01 AM

MINUTES

- Ray Rice **motioned** to approve the Board of Supervisors Workshop Meeting Minutes for July 11, 2023. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Samuel Beiler **motioned** to approve the Board of Supervisors Meeting Minutes for July 18, 2023. Second by Ray Rice. All Ayes. **Motion Approved.**

TREASURERS REPORT/BILLS

- Ray Rice **motioned** to approve the July 2023 Treasurer’s Report. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Ray Rice **motioned** to approve the August 2023 Disbursement List of Bills to be paid. Second by Samuel Beiler. All Ayes. **Motion Approved.**

PERSONS TO BE HEARD:

SUBDIVISION/LAND DEVELOPMENT - ACTION ITEMS

- Roger A. Fry, PLS, Fry Surveying, Inc. – Raymond K. & Sally B. King – 114 Harristown Rd – Preliminary/Final Plan. Mr. Fry presented plans and waiver/modification requests.
 - Mr. Beiler asked if a Zoning Hearing Board had been approved for the existing use (furniture refinishing) and what types of products would be used. He expressed concern regarding noxious odors. Mr. Fry advised that Zoning Hearing Board approval had been received. Mr. King advised that most of the products he uses are water based. Township
 - Township Solicitor Frank Mincarelli asked if Mr. King would be connecting to public sewer and for confirmation only waste water would be entering the system. Mr. Fry said Mr. King will be connecting to public sewer. He advised the Paradise Township Sewer Authority has approved tapping into the existing on-site sewer connection/lateral. Mr. Fry further advised that no chemicals would be disposed of into the public sewer system; primarily only water would be entering the system.

Chairman Bills called for public comment. No comments were proffered.

- Ray Rice **motioned** for approval of the Request for Waiver of Section 408.1 – Water Feasibility Report. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Ray Rice **motioned** for approval of the Request for Waiver of Section 408.2 – Sewer Feasibility Report. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Request for Waiver of Section 605.H – Lighting Plan. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Ray Rice **motioned** for approval of the Request for Modification of SWMO Section 504.4.a.4 – Conveyance Facility Design Criteria (stormwater conveyance pipe diameter size). Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Ray Rice **motioned** for approval of the Request for Modification of SWMO Section 507.9 – Subsurface Storage Facility Design Criteria (geotextile installation). Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Samuel Beiler **motioned** for conditional approval of plans. Second by Ray Rice. **Motion Approved.**

PUBLIC COMMENT:

Chairman Bills called for public comment. No comments were proffered.

CORRESPONDENCE:

- East Lampeter Township’s August 16, 2023 letter regarding Zoning Ordinance Amendment for Self-Storage Facilities.
- PNC Bank August 18, 2023 letter regarding Strasburg branch closing effective November 17, 2023.
- Rapho Township August 22, 2023 thank letter.

TOWNSHIP REPORTS

TOWNSHIP MANAGER

ROADMASTER:

- Roadmaster Blaine Stoltzfus presented the results of 2023 Oil & Chip and Road Equipment Rental Bids (there was only one bidder for each) and requested award of the bids. Ray Rice **motioned** to award the 2023 Oil & Chip Bid to Asphalt Industries, Inc., and the 2023 Road Equipment Rental Bid to Long’s Asphalt, Inc. Second by Samuel Beiler. All Ayes. **Motion Approved.**

EMERGENCY SERVICES

- Chairman Bills presented the PVFD Station 40 Merger Announcement. Mr. Bills stated that Paradise Township will be working Leacock Township regarding sharing the expense for

Workers' Compensation Insurance. He has directed the Township Solicitor, Frank Mincarelli, to prepare the necessary inter-municipal agreement that will specify the terms of the cost share. Mr. Bills said he has spoken with Frank Howe, Leacock Township Manager, regarding this matter.

Mr. Bills called for public comment. No comments were proffered.

PLANNING COMMISSION:

ZONING HEARING BOARD:

- Samuel E. Esh – 714 Georgetown Rd: Mr. Hockensmith presented request to ratify the April 20, 2023 Notice of Violation and Cease & Desist Order as set forth below, and explained his attempts to speak with Mr. Esh and to contact him in writing. He advised Mr. Esh's only response to his attempts to communicate with him was that he has no wish to contract with the Township.

Township Solicitor Frank Mincarelli advised that the 30 days has passed since the Notice of violation was issued, no appeal was entered by Mr. Esh, so the Township can now proceed with action through the Magistrate. Mr. Mincarelli advised he will prepare the court filing upon the Supervisors' approval of the request to ratify the Notice of Violation.

Samuel Beiler **motioned** to ratify the April 20, 2023 Notice of Violation and Cease & Desist Order as set forth below. Second by Ray Rice. All Ayes. **Motion to Ratify Approved.**

- Violation of Article VII, Section 701.2 (1515): Operation of a business from the property without ZHB approval of a Special Exception for a Rural Occupation.*
- Violation of Article XIX, Section 1902.1: No permits obtained for construction of structures.
- Discussion was had regarding proposed Ordinance amending the Zoning Ordinance to provide for Short Term Rentals as special exception uses and approve for advertising. After lengthy discussion, it was determined no action would be taken at this time until further discussion was had. Once a final decision is made on the terms of the proposed Ordinance, Mr. Mincarelli would be advised of any needed revisions and the matter scheduled for the next Board of Supervisors meeting thereafter to approve advertising. The following comments/concerns were discussed.
 - Permitting short-term rentals in the Residential Zoning District.
 - Requiring a Special Exception Use approval.
 - Rules, Guidelines and Permit requirements.
 - Mr. Hockensmith shared that he receives calls weekly from people asking if they can have an ABNB. He said they keep popping up everywhere, they are hard to keep track of accurately, are reducing available housing and effecting

the school/student population. He said he feels there should be some limits on permitting short-term rentals in the Residential Zoning District. Mr. Hockensmith shared the number of calls/complaints he receives from concerned neighbors to short-term rentals, and said he feels there is a need for rules and guidelines. He said the last few proposed short-term rentals were working with a property management company who had their own rules and guidelines. Mr. Hockensmith said he thinks the Supervisors should consider a limit

- Supervisor Beiler said he goes back-and-forth on the matter. He feels short-term rentals could help clean-up some properties for the betterment of the community. He is of the opinion they should be approved as a Special Exception Use, but he is on the fence about other requirements. By implementing a Special Exception Use, this would give neighboring property owners the opportunity to voice their concerns. Generally, he feels the Township should require persons wanting to have a short-term rental apply for a Special Exception, see how that process goes, and if there are any issues, the Supervisors can revisit the matter and amend the requirements as needed. He does concur some guidelines/rules are necessary.
- Township Solicitor Frank Mincarelli asked if the Township has low and high density housing zoning districts. Mr. Hockensmith and Chairman Bills advised there are Residential and Rural Residential Zoning Districts. Mr. Mincarelli advised that the proposed short-term rental ordinance provides rules and guidelines, annual permitting requirements and a means to revoke or not renew a permit. Jonas Fisher asked who would review and issue the permits and annual permit renewals and if there would be a fee for the permits. Mr. Mincarelli responded that Mr. Hockensmith would be responsible for issuing the permits and permit renewals and that a permit fee would be established. Chairman Bills and Mr. Hockensmith asked if the Township could limit the number of short-term rentals. Mr. Mincarelli advised it cannot prohibit an approved use, so could not limit the number of short-term rentals.
- Discussion was had regarding county registration requirement (county requires short-term rentals to be registered and pay a hotel tax) and the renewal term for short-term rental permits. Mr. Hockensmith proposed a bi-annual renewal period; however, Mr. Beiler felt this would be too long a period in instances where there is a short-term rental that is not in good standing. Mr. Mincarelli advised that any existing short-term rentals would be required to obtain a permit as well, not just new ones. Mr. Beiler asked if existing rentals would be required to come before the Zoning Hearing Board for a Special Exception. Mr. Mincarelli said they would not.
- Ray Rice expressed the he too is on the fence about restricting short-term rentals. He understands both sides of the issues and concerns expressed. He has a short-term rental beside his home that he has had no issues with, but he has heard the problems other people have experienced. He asked if Leacock Township has rules about short-term rentals. Mr. Hockensmith said it did, but they have since stopped them.

- Chairman Bills called for public comment and the following comments were proffered:
 - Jonas Fisher. Mr. Fisher asked what the status is of the Zoning Ordinance and Comprehensive Plan updates. Chairman Bills advised that the Township is looking to update the Comprehensive Plan as it is supposed to be updated every 10 years and is due to be updated. He said the Township would look to update the Comprehensive Plan first, then the Zoning Ordinance. He explained based on the current proposal, this process would take 2 years to complete. In the first year, the Comprehensive Plan would be updated. The Zoning Ordinance would then be updated in the following year. Mr. Beiler said it is a long process to complete these updates. He was here when the 2003 updates were completed and he remembers it took a long time to complete them, so long that there were amendments needed not long after it was adopted. Mr. Beiler explained that, pending these updates, amendments would be made to the Zoning Ordinance regarding short-term rentals and the requirement for concrete foundations for mobile homes.

PARK & RECREATION COMMISSION:

- Review/Discuss Triangle Communications quote for wireless security camera system at park. Adryan Yothers explained incidents of vandalism that have occurred at the park, and the inability to capture any details with the current security camera system in place due to its lack of detail and general efficiency. Blaine Stoltzfus highlighted various instances in which the cost repair some of the vandalism will ultimately out-weigh the cost of a new security system. Supervisor Rice asked what the status of a second bid. Mr. Yothers said they are working on obtaining at least 2 more bids.
- Discuss and consider purchase of combination tractor/mower. Adryan Yothers and Blaine Stoltzfus presented quotes for tractor/mower and cited pros and cons to purchasing/not purchasing, and cross uses for the equipment (roads and parks). Mr. Stoltzfus provided the cost for the preferred tractor/mower combination (just under \$90,000 for both pieces of equipment), explained the municipal discount applied, and talked about the cost difference between the equipment proposed for purchase, and another tractor/mower combination from they were able to demo. He said the preferred equipment is less than half the cost of the one they were able to demo, but the demo helped them to determine that mowing time at the park could be cut in half. Upon being asked, Mr. Stoltzfus explained the unit would be housed at maintenance building until the new shed/pole barn is constructed at the park.
 - Mr. Beiler said he feels there would be more use for the tractor than the pull-behind mower and asked if a regular mower would still be needed at the park. Mr. Stoltzfus said that yes, a regular mower would still be needed for cutting in and in smaller areas. Mr. Yothers pointed out that the new pull-behind mower would still mow the majority of the park and in half the time. Mr. Beiler asked if the new combination tractor/mower will replace other equipment. If not, he is not sold on purchasing the pull-behind mower if it is going to be another piece of equipment added to the inventory that will also sit for 6 months out of the year when not in use.

- Chairman Bills asked what mowers we currently have and are using. Mr. Stoltzfus provided an inventory of mowers currently on-hand. He then advised that Torro makes a 12' zero turn mower that costs approximately \$80,000, and Exmark makes a similar one for approximately \$90,000. Ms. Farra confirmed for Mr. Bills that the current budget provided \$30,000 for a new mower. Mr. Stoltzfus said they would be looking at a smaller 62" 4WD Kubota to keep within that price range, and said he would obtain pricing for other mowers for comparison.
- Mr. Beiler asked how many mowers the Township would end up with ultimately. Mr. Stoltzfus said a 72", 61" and the new pull behind.
- Mr. Rice said that they need to consider the Township is looking to hire a new person for the road department, so Mr. Yothers will not be needed to help them out as often giving him more time to tend to the park.

In closing, Chairman Bills directed pricing for other smaller mowers be obtained for cost comparison then this discussion can be revisited at that time.

SEWER AUTHORITY & SEO:

OLD/NEW BUSINESS:

- Ray Rice **motioned** to approve the Engineering Services Request for Proposal. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- David S. Beiler – 74 Iva Road: Ray Rice **motioned** to approve the request for reduction of Financial Security from \$22,862.00 to \$17,099.38. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Emanuel B. Fisher – 268 S. Kinzer Road: Samuel Beiler **motioned** to approve request for reduction of Financial Security from \$96,316.81 to \$70,456.05. Second by Ray Rice. All Ayes. **Motion Approved**
- 2023 Ballot for Election of Trustees for the PSATS Municipal Pension Trust and PSATS Unemployment Compensation Group Trust. It was noted there was only one person nominated for Trustee for each PSATS Trust. As such, Ray Rice **motioned** for the designated Trustees to be voted for and to authorize Secretary, Karen Farra, to sign and submit ballots. Second by Samuel Beiler. All Ayes. **Motion Approved.**

ADJOURN

- At 11:19 a.m., Samuel Beiler **motioned** to adjourn meeting. Second by Ray Rice. All Ayes. **Motion Approved.**

Respectfully Submitted By:

Karen E. Farra, Secretary/Treasurer