

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 27, 2015  
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, August 27, 2015 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** George Dvoryak, Vice Chairman  
Bill Schenck  
Kathleen Phan  
Julie Landis

**MEMBERS NOT**

**IN ATTENDANCE:** Mark Swomley, Chairman

**ALSO IN**

**ATTENDANCE:** Kristen Denne, Township Manager  
Charles Rausch, Solicitor  
Patricia Lang, Director of Community Development  
Dennis Crabill, Environmental Engineer  
John Luciani, Civil Engineer  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dan Stump, Chief, Police Department  
David Wendel, Director of Parks and Recreation  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Jean Abrecht, Stenographer

**1. CALL TO ORDER**

**DVORYAK** Vice Chairman George Dvoryak called the meeting to order at 7 p.m. He welcomed the attendees and announced that Chairman Swomley was unable to be present this date. He led the Pledge of Allegiance.

Mr. Dvoryak stated that one change would be made to the agenda for the presentation of the 2015 Parks and Recreation Summer Program, which would take place immediately following citizen comments.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

There were no Executive Sessions to announce.

**3. COMMUNICATION FROM CITIZENS**

**FREY** Spring Lane LLC  
Sally Frey, 4160 Old Orchard Road stated that she and her husband, Robert had lived in Springettsbury Township 41 years. At one time, they lived at 3405 East

Market Street in the Weiser-Frey home known as Bloomingdale. She spoke against the rezoning, demolition and development of the Spring Lane, LLC project.

**DVORYAK** Mr. Dvoryak asked Ms. Denne what the next steps would be since it had come before the Planning Commission.

**DENNE** Ms. Denne responded that they are waiting for the Planning Commission notes to come back, which should be by the September 10 meeting.

**RAUSCH** Solicitor Rausch noted that the Public Hearing would not be held until October.

**DENNE** Ms. Denne responded that was correct, but they would have to take the recommendation and then give her the authorization to advertise to change the zoning.

Trout Run Road

**STUHRE** Charlie Stuhre, 3680 Trout Run Road thanked Mark Hodgkinson and his road crew for patching the holes on Trout Run Road. They did a fine job. He mentioned a telephone pole or power pole at the corner of Lower Glades Road and Druck Valley Road, northeast corner. He requested that the township request the utility to secure the pole.

Neighborhood Church

**GUNNING** Paul Gunning, 2205 East Philadelphia Street spoke about a property at 2309 East Philadelphia Street. He spoke of two issues: multiple business unrelated to religious services on Sunday are conducted many evenings until late at night with lighting that intrudes on the neighborhood. He had investigated the matter of zoning but could not find where any zoning certificates had been issued.

**LANG** Ms. Lang stated that a year or more ago they had discussions concerning the activities that were happening in the church, which proved to mostly be lessons. Those were permitted uses based on the type of zoning. They did not need special zoning approval, and the activities did not need to be related to the church activity.

**GUNNING** Mr. Gunning stated that they had not been good neighbors, are a community nuisance, and are a hazard to the community.

**LITRENTA** Marc Litrenta, 2221 East Philadelphia Street, spoke of the traffic issue in the neighborhood. Over the last five years, he had observed the traffic increase and it had become a serious hazard to the neighborhood children, as well as the adults. People traveling to and from the church are speeding with no regard to individuals living in the area. There are stop signs, but they are ignored. The only church traffic happens at 10 a.m. until Noon on Sunday. Boy Scouts would be an exception.

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**PHAN** Ms. Phan stated that there would be no reason that police officers could not begin patrolling the area. In addition, Ms. Denne could look into the church history to see if it is a non-profit entity.

**LEAVENS** Jim Leavens, 2209 East Philadelphia Street, added comments about traffic. He lives between a speed bump 20 yards to the left and 20 yards to the right of his home. He has observed cars bottoming out on the street, as well as cars speeding up in between the speed bumps. He noted that those coming to the building do not make the connection that there are people living, playing, and working there. There are many children in the neighborhood, and it is dangerous.

Spring Lane LLC

**SMITH** Steven Smith, 3638 Pleasant Valley Road, spoke against the rezoning, demolition and development of Spring Lane LLC. He cited no need for additional retail space, traffic, visibility and the fact that York County Planning Commission did not recommend the zoning request.

**VANDINE** Reagan VanDine, 3323 East Market Street, stated she had lived in the smaller house on the Bloomingdale property and loving it for almost 20 years. She spoke against the rezoning, demolition and development of the Spring Lane LLC project. She noted the York County Planning Commission's decision to not rezone. She had investigated the Comprehensive Plan and the Traffic Impact Ordinance. She hoped the Supervisors would ask hard questions before taking action.

**TANZOLA** Carol Tanzola, 3009 Trout Run Road, spoke against the rezoning, demolition and development of the Spring Lane LLC and agreed with previous comments. She had been part of a township mission in 1994 to find the top 100 sites in the township for historic preservation. One award was given to the owner of the Modenaire Motel for the preservation of his site. She noted the Board of Supervisors should consider the validity of their actions and respect for things of the past.

**RAUSCH** Solicitor Rausch stated for clarification that the board would not be making any decisions on September 10, which had been mentioned earlier. Prior to any decision, a Public Hearing must be held to gather information. There are additional steps involved. The Public Hearing must be advertised and nothing will take place until October.

Fayfield Traffic

**WILLIAMS** Dave Williams, 570 South Russell Street, brought forward an issue with traffic. He had spoken with Chief Stump, who had sent officers to the neighborhood. Additional stop signs had helped; however, there had been various accidents at the intersection of Russel and Seventh. A tree stopped the last vehicle from going into his residence.

**WOLPERT** Derrik Wolpert, 701 South Kershaw Street, echoed Mr. Williams' concerns. He added that, not only at the intersection of Russell and Seventh, but the general rate of vehicles traveling on Seventh Avenue. It is the only road east/west in the Fayfield subdivision that does not have a stop sign. He noted that the traffic would be further exacerbated with ongoing Mt. Rose construction. We have seen increased police presence, and enforcement is appreciated. His request was consideration for a four-way stop at the intersection of Russell and Seventh.

**RAUSCH** Solicitor Rausch noted that a traffic study would be needed to warrant a stop sign. It would be nice to be able to just put up a stop sign, but the board does not have that luxury.

**PHAN** Ms. Phan noted that it does not mean that it cannot be done. She noted that the traffic study can be done, and from earlier research, stop signs work better than speed bumps.

**STRICKLER** Tom Strickler, 730 South Russell Street confirmed the earlier comments. Traffic has gotten worse, but they hope something could be done at that intersection before someone is seriously injured.

**SCHEUCHENZUBER** James Scheuchenzuber, 750 South Royal Street also confirmed the previous comments. He added that he thought Ninth Avenue did not have stop signs as well. During evening walks with his two-year old daughter, he had noticed cars flying by on Royal Street – estimated speed at 40 miles an hour.

**GONZALES** Antonio Gonzales, 560 South Russell, stated that he is Mr. Williams' neighbor and had witnessed two of the recent accidents there. Both of their houses would have been damaged if the tree had not been there. He commented that there are no speed limit signs anywhere in the neighborhood. That would help, as well as a four-way stop at both Royal and Seventh and Ninth and Seventh. He suggested a traffic camera on the corner and assigning a police officer there at specific times. He hoped the board could do something.

**HELLER** Jane Heller, 1819 Idylwyld Road, brought forward the matter of historic overlays. She noted that nothing had been since the meeting of pro-preservationists several years ago. She noted that with the Spring Lane LLC project, three buildings will be destroyed which destroy some of the heritage of York County. She noted the owner wanted to sell, which generally is the case with older properties at risk. She stated that there has to be the will for preservation. If Spring Lane LLC goes through, the residents will have to suffer with more and more traffic. She questioned the rationale.

**DVORYAK** Mr. Dvoryak commented that it would be important to attend the Public Hearing that Solicitor Rausch mentioned because that will be the opportunity to express those concerns.

- HELLER** Ms. Heller mentioned that, again, there is no Historic Overlay to assist in the demolition of historic properties. There are things the board could do, but there must be the will, and preservation is all about the will to do it.
- LANDIS** Ms. Landis questioned both the board and Ms. Lang about the progress of where the township stands with respect to overlays.
- LANG** Ms. Lang responded that she had prepared a multi-faceted historic ordinance for protection of properties within the Township. She did not refer to it specifically as a Historic Overlay; however, it dealt with delay of demolition, the condition of existing structures and with requests to tear down buildings. Several meetings at the Planning Commission level were spent going through that document, taking it apart, putting back in pieces of interest. Ultimately, there was really no support at the Planning Commission level for anything more than a delay of demolition ordinance.
- LANDIS** Ms. Landis noted that the delay is 90 days.
- LANG** Ms. Lang responded that was correct, and that is what is in place at this time.
- LANDIS** Ms. Landis noted that the Board of Supervisors does not need the approval of the Planning Commission. She suggested that the residents go to the poles and make changes and put people in who care about preservation.
- LANG** Ms. Lang noted that she had prepared the ordinance with several options. Following the Planning Commission review, they asked for some additional changes to language, and she had not had a chance to get back to that. As soon as she does a recommendation will be made to the Board of Supervisors with what they felt was appropriate language.
- LANDIS** Ms. Landis indicated that the power is at the board level as to the direction.
- DVORYAK** Mr. Dvoryak commented that the board had made the decision to send it to the Planning Commission.
- PHAN** Ms. Phan noted that as a board member, she needed to review all aspects, not just historical buildings, but also traffic, safety, the future, what the owners of the buildings want. She noted comments about the Moderaire Motel pool, which is covered with grass. With respect to an overlay, she has to understand what it does and what that means. She did not appreciate statements that the board was not doing what it should be doing. The board needed to look at all sides and all situations.
- LANG** Ms. Lang noted that the Planning Commission Members had a good discussion and they have the same concerns, the same problems. The property owners are stating how dare the township tell them what to do with their building. There was a lot of concern about that by Planning Commission members, and that was one of the reasons they wanted to narrow what the scope of the ordinance would do.

**LANDIS** Ms. Landis indicated that would be in any community. Other municipalities have overlays because they feel the need and they have the will to protect. The board is elected to make decisions and not to continue to pause on things. She asked when the next step would happen.

**LANG** Ms. Lang responded that, as mentioned, the Planning Commission asked her to adjust the language. She is working on that and will take it back to the Planning Commission.

**DVORYAK** Mr. Dvoryak added that, again, it was the decision of this board to take this through that process. This is a frustration of government that anything seems to take longer than it does in the world he operates in. He would rather go through the process and end up with a good decision that has a good lasting impact as opposed to making a short-term snap decision based on emotion that ends up being the wrong decision down the road. He indicated he would look forward to the comments that are coming. That in no way will bind this board but will be information coming to the board, which will make an informed decision as to the future.

**Resident** A resident in the audience asked about an overlay.

**LANG** Ms. Lang responded that an overlay is a tool that can be used in the Zoning Ordinance. The Township already uses this tool for the flood plain and for steep slopes. The regulations apply to specific areas, rather than a physical area, these lots or these acres. It is wherever those criteria occur within the Township that that zoning applies. The flood plain zoning criteria only applies where there is flood plain. The steep slope criteria only applies where there is a steep slope, whether those areas are connected to each other or separated throughout the Township. The same thing would be true with the historic overlay. Whatever the criteria, whether historic or wherever specific criteria exists in the township, that zoning district would be applicable in that location.

**LANDIS** Ms. Landis noted it is done everywhere and has been around for a long time.

**HELLER** Ms. Heller pointed out a situation in Spring Grove where a historic overlay was imposed by the borough and saved the Hoke House, a 1740's building.

**RAUSCH** Solicitor Rausch's recollection about the Spring Grove situation was that there was a property maintenance order from the borough that either they had to fix the property or it would be demolished. Even though the borough had an overlay, they also were ordering the owner to fix up the property.

**HELLER** Ms. Heller noted that the overlay provided for 80 days to delay demolition.

**RAUSCH** Solicitor Rausch clarified that the owner of the property was not prohibited from demolishing that building. It just happened that the preservation group came in and had enough money to assist.

**DVORYAK** Mr. Dvoryak thanked everyone for their comments. They look forward to an engaging debate once the information comes back from the Planning Commission as to how the board moves forward.

Video Presentation – 2015 Parks and Recreation Summer Program

**WENDEL** David Wendel presented a report and video of scenes from the 2015 Summer Playground Program. Some highlights of his report follow:

- The program is eight-weeks, Monday through Friday, 9 a.m. to Noon; evening sessions on Mondays, Tuesdays, and Thursdays from 6:00 to 8:00 p.m. and has been in existence for over 50 years.
- 700 children in nine different park locations throughout the township participated. The number of participants was down significantly.
- Structured and leisure activities took place for youths from age six to 14.
- Annual Craft Show held at the Galleria produced over 1100 pieces of artwork on display.
- A formal Gallery Exhibit of the high-quality pieces of artwork was held at the Art Institute of York.
- Activities help participants enhance their cognitive, physical, social, and emotional development and boost self-esteem and confidence.

Mr. Wendel credited Mr. Britt Mundy, one of the Recreation Specialists with the Go-Pro camera video presentation provided.

**4. ENGINEERING REPORTS**

A. Environmental Engineer – Buchart Horn, Inc.

**CRABILL** Mr. Crabill had submitted his monthly report. He had no changes to his report but offered to respond to questions. There was none.

B. Civil Engineer – First Capital Engineering, Inc.

**LUCIANI** Mr. Luciani had submitted his monthly report and had no changes. He offered to respond to questions as well, but there were none.

**5. CONSENT AGENDA**

- A. Acknowledge Receipt of July 31, 2015 Treasurer's Report
- B. Acknowledge Receipt of June 16, 2015 York Area United Fire and Rescue Commission Minutes
- C. Board of Supervisors Public Hearing Minutes – July 30, 2015.
- D. Board of Supervisors Regular Meeting Minutes – July 30, 2015
- E. Regular Payables as Detailed in the Payable Listing of August 27, 2015
- F. Authorization to Approve Tax Refund Request for Tax Year 2014 – AAA Southern Pennsylvania (Parcel #46-28-41G) in the amount of \$519.49

- G. Authorization to Approve Tax Refund Request for Tax Year 2015 – AAA Southern Pennsylvania (Parcel #46-28-41G) in the amount of \$560.06
- H. Wexcon, Inc. – Fineview Drive Project – Change Order Request No. 2 in an amount not to exceed \$1,349.50
- I. Wexcon, Inc. – Fineview Drive Project – Application for Payment No. 2 in an amount not to exceed \$12,489.65 (FINAL Payment)
- J. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 9/15/2015 (New Plan Date 3/15/2016)

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH J. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS**

There was none for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

There was none for discussion.

**8. COMMUNICATION FROM SUPERVISORS**

**SCHENCK** Mr. Schenck brought forward his observations and several questions concerning the Escrow Fund, completion of projects ongoing for many years, building permits, Firehouse Square, and Dollar General. His comments were noted with responses from Ms. Lang, Community Development Department.

**PHAN** Ms. Phan mentioned that Officer Jamie Miller was given a rave review for a stop had made where he spoke with local residents. This had been on Facebook, in the newspaper and on Fox News. Chief Stump had been interviewed as well. She stated kudos to the Police Department as it was nice to see good news instead of all the negativity.

**9. SOLICITOR’S REPORT**

**RAUSCH** Solicitor Rausch reported that the board recently had approved the Mundis Mill Water District Ordinance. He received an email from the engineer for FCI that York Water Company had contacted them. They had modeled it after the Mt. Zion Water District Ordinance, and in that ordinance, there were sections that included the service charge. There had been a surcharge for the Mt. Zion Water District, and the language carried over into the Mundis Mill Ordinance, which has no surcharge. Solicitor Rausch requested authorization from the board to amend the Ordinance to reflect no need for a surcharge.

**MR. SCHENCK MOVED TO EDIT THE ORDINANCE FOR THE WATER DISTRICT TO REFLECT NO NEED FOR A SURCHARGE. MOTION UNANIMOUSLY CARRIED.**

**DVORYAK** Mr. Dvoryak questioned an item in Solicitor Rausch’s report concerning the auction for the Long Drive property. His report mentioned that it would be an absolute auction. Mr. Dvoryak recalled that the board had approved the auction with provisions where several board members would be on standby to approve the highest price. A lengthy discussion took place that mentioned:

- Auctioneer stated the auction must be done by absolute sale.
- Property is gutted so any bidder will have to completely remodel the property.
- Fully outfitted property might sell for \$80,000 to \$85,000.
- It was advertised as an absolute sale; bidding will begin with the auctioneer.
- Anyone who bids the highest price will be the successful bidder.

**DVORYAK** Mr. Dvoryak noted that a motion would be needed to have the auction set as an absolute auction. He favored the action based on this particular property, its location and its condition.

**SCHENCK** Mr. Schenck agreed with Mr. Dvoryak. He commented that the township had a public health issue that had to be handled, and the auction will close the matter. He noted whatever the auction might bring; the market will bring what its worth.

**MR. SCHENCK MOVED TO AUCTION THE PROPERTY AT 1605 LONG DRIVE AS AN ABSOLUTE AUCTION.**

**LANDIS** Ms. Landis asked for clarification of the fact that several board members can approve the bid price.

**DVORYAK** Mr. Dvoryak responded that an absolute means whoever the high bidder is at the auction would buy the property.

**PHAN** Ms. Phan commented that she wanted to be sure that no money would be lost. There is no money owed on the property.

**DENNE** Ms. Denne noted that there was money invested to handle a public welfare situation. She added that she had discussions concerning the price with the auctioneer.

**MOTION UNANIMOUSLY CARRIED.**

## **10. MANAGER’S REPORT**

**DENNE** Ms. Denne stated that volunteers are needed for Saturday in the Park with different time slots. Contact Abby if anyone wants to volunteer.

Ms. Denne provided responses for resident complaints the previous month. They are summarized:

- Trout Run Road – DPW had filled the potholes. Several additional holes will be handled in September during pre-winter maintenance.

- Ms. Denne personally monitored parking on the road and had not encountered anyone parking on the road. Residents are to call as soon as it occurs.
- Storm Water/Driveway Pipes – Township only owns three pipes; one has been cleared and remaining two will be televised. Private individuals own most of the areas of improper drainage. They will be requested to clean their areas.
- EMT billing was investigated and proper protocol and procedures were followed. Individual wanted a discount on the bill; however, Ms. Denne was unable to provide; however, alternatives were given to the resident.
- Comcast Cable - Solicitor Rausch had investigated the claim that there were some individual neighborhoods discussed in that negotiation. The agreement had been negotiated as a multi-municipal, regional agreement and it would have been unlikely that individual neighborhoods had been discussed.

**SCHENCK** Mr. Schenck stated that he really appreciated these kinds of updates as a great way to bring things to closure.

**PHAN** Ms. Phan agreed that it pulled things together. She thanked her for a good report.

**LANDIS** Ms. Landis questioned the Trout Run Road issue and whether there is a plan for the road.

**DENNE** Ms. Denne stated that the subject had been discussed at length at the last meeting. It is an item that will be covered during the budget sessions. Mr. Hodgkinson had been working with Mr. Luciani pricing costs of repaving and some other construction measures that can be taken.

**PHAN** Ms. Phan added that she requested that if there are roads that could be seen for the residents' review they could visualize what is being discussed.

**LANDIS** Ms. Landis asked whether the funding would come from Liquid Fuels.

**DENNE** Ms. Denne responded that an allocation for one year of Liquid Fuels would not cover the cost of reconstruction however.

**HODGKINSON** Mr. Hodgkinson reported that he would provide several options.

## **11. ORDINANCES AND RESOLUTIONS**

A. Resolution No. 2015-46 – Amending Fee Schedule

**MR. SCHENCK MOVED FOR THE APPROVAL OF RESOLUTION 2015-46 AMENDING THE FEE SCHEDULE. MOTION UNANIMOUSLY CARRIED.**

## **12. OLD BUSINESS**

**HELLER** Jane Heller, 1819 Idylwyld brought forward an item she had discussed before the board during a meeting in 2014 when she brought a petition signed by 23 residents with regard to Memory Lane traffic. She reiterated the following:

- Memory Lane remains a speeding race downhill; yellow lines are gone.
- Discussions took place about cutting back greenery; no change had taken place; bad sight distance remains.

Additional comments:

- New speed study took place; vegetation investigated but appears to be privately owned; out of the right-of-way.
- Fresh review will take place; report next meeting.

**13. NEW BUSINESS**

A. Video Presentation – 2015 Parks and Recreation Summer Program

This item was presented earlier on the agenda.

B. York County Convention and Visitors Bureau – Update on Tourism in York County.

**DVORYAK** Mr. Dvoryak reported that the individual representing the York County Convention and Visitors Bureau was unable to be present.

**14. ADJOURNMENT**

**DVORYAK** Vice Chairman Dvoryak adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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