

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES FEBRUARY 13, 2023**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, February 13, 2023 at 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover. Present were Supervisors Pete Socks, Tom Danner, Barry Cockley, Earle Black, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Roadmaster Bill Scott, Zoning Officer Andrew Myers, Secretary Jean Hawbaker.

AGENDA ADDITION

Pete Socks made a motion to add Bridgeview Drive, Lot 3 to the agenda. They are requesting to connect a sump pump to a catch basin. This issue just recently came up and the Secretary was not able to add this to the agenda due to a death in the family, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PUBLIC COMMENT (AGENDA ITEMS) – None.

APPROVE CONSENT AGENDA

Barry Cockley made a motion to approve the consent agenda, which consists of the minutes of January 9, 2023, bill lists, unpaid bill lists and balance sheets dated February 10, 2023, and Police/Fire/AREMS Reports for January 2023, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

CORRESPONDENCE

- 1) **Waiver request for septic pumping – 214 Maple Grove Road** – The Zoning Officer will look into the amount of time being requested.
- 2) **Adams County Heritage Plan – Meeting request** – Will be notified they can discuss this at one of our monthly meetings.

Pete Socks made a motion to table adoption of the Zoning Ordinance Amendment (Large Livestock; Ordinance No. 2023-02), seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tim Shultis explained how the township goes about making decisions in terms of zoning amendments, and will give an outline on what the current status of the ordinance is with respect to horses and large animals, and what prompted the change that we are proposing and what our intent is on the proposed change. The Zoning Ordinance was adopted in 1999. About 4 or 5 years ago, the township created a Zoning Review Committee, which is comprised of 2 Supervisor's, a representative from KPI Technology, a member of the Planning Commission, Zoning Officer, a member of the Zoning Hearing Board and a professional land use planner and myself. We meet once a month to go over the Zoning Ordinance. For the purpose of modernizing a 20+ year old Ordinance, which has served the township well, needs to be updated. The Board tries to be responsive to the people it serves. Section 612 and 407 related to horses needs to be revised due to the

February 13, 2023

amount of acreage, expand the uses in other districts, establish a minimum lot size, minimum pasture size, setbacks, and regulate exotic animals.

ZONING ORDINANCE AMENDMENT PUBLIC HEARING (LARGE LIVESTOCK; ORDINANCE NO. 2023-02)

- 1) **Megan Clabaugh – 651 Ledger Drive** – These animals should not be put into one group; they are very different groups. These animals provide valuable resources to residents and would cause emotional stress.
- 2) **Heidi Snyder – 377 Green Springs Road** – Has raised goats on less than a half-acre, and they thrived.
- 3) **Natasha Walker – 675 Ledger Drive** – Supportive to the people that do have animals and livestock.
- 4) **Allison Brown-Gidusko – 90C Municipal Road** – Do not have livestock yet, but am hopeful. The acreage is a little excessive. Other states have great guidelines that could be followed.
- 5) **Willa Eldridge – 1080 Race Track Road** – Have had sheep on our property for 35 years on less than 5 acres. The number of sheep could range from 7 to 12 at a time.
- 6) **Barb Harford – 160 Municipal Road** – My goats are used for therapy.
- 7) **Brian Hoffheins – 1058 Race Track Road** – Your amendment says a pasture must be enclosed by a minimum of a 4 foot fence for a horse. It should be at least 6 feet.
- 8) **Joan Hinton – 60 Maple Grove Road** – The minimum lot size of 1 acre of land exclusive of buildings and impervious surfaces must be provided for 2 animal units. An animal unit is 1,000 pounds. I bought 13 acres, but what happens when I go to sell it. People don't always do something with their land on the day they buy it, they have plans for their future.
- 9) **Margie Eldridge – 696 Abbottstown Pike** – A farmer should be on the Zoning Review Committee. Do not want limits on our land.
- 10) **Kelly Drury – 129A Race Track Road** – Agreed that land should not be limited.
- 11) **Candi Becker – 762 Hershey Heights Road** – Supports a rural property. There are restrictions by other entities. The grandfather clause is sticking in everybody's crawl.
- 12) **Steve Rhodes – 801C Green Springs Road** – You are taking our rural community away from us. These farms and farmettes have been here for years. You need to stop regulating.
- 13) **Frank Ferree – 2283 Carlisle Pike** – Your ordinance is going to hurt the small farmer who is already struggling to survive.

February 13, 2023

- 14) **James Swisher – 130 Race Track Road** – There are a lot of things in your Ordinance that goes against what PA law allows. I have exotic animals and this zoning could impact me. There are many people that have this hobby and are making a lot of money to support their families. Anyone is more than welcome to come over and see these animals and how they are kept.
- 15) **Jennifer Swisher – 130 Race Track Road** – We have exotic animals and do not have anything that requires regulations from the State. All of the animals are kept in my home.
- 16) **Jeff Shaffer – 1054 Abbottstown Pike** – My family were all farmers. We take care of our animals and support the residents.
- 17) **Susan Oberlander - 950D Green Springs Road** – Our goats cleaned out 3 acres of our woods for us. Concerned about homes that will lose their value. Have grandchildren that want goats again.
- 18) **Dan Hoke – 254 Route 194 North** – Reiterated what others have said. If we are under 2,000 pounds per acre, you should let that ride, because it has been working.
- 19) **Dale Ault – 290 Maple Grove Road** – I raise sheep and have 30 head on 5 acres. My kids were in 4-H and raised animals. That is how they got through college. I also have a grandchild that used horses for therapy.
- 20) **Tom Herren – 241 Green Springs Road** – Thanked the Board for tabling the adoption.
- 21) **Chris Adler – 59 Kelly Road** – I have animals and this will devalue our properties. Can we stick with what we had, and revisit this in 10 years.
- 22) **Melanie Scoufalos – 2415 Carlisle Pike** – We have 5 goats that help to handle clearing the woods. There are different needs for different animals. When animals pass away, we adopt new animals. When properties go out for probate, which takes a lot longer than a year, needs to be addressed.
- 23) **Dave Wolf – 1550 Harney Road** – Grandfathering does not protect the way it has been portrayed, because there are circumstances that are going to happen in life, and you are going to run afoul of the grandfather and lose the value of your land.
- 24) **Tom Scoufalos – 2415 Carlisle Pike** – My homestead is my retirement, and should not be taken lightly.
- 25) **Cheryl Rhodes – 801F Green Springs Road** – Supports the residents.
- 26) **Lisanne Gray – 660B Green Springs Road** – I have horses and a donkey, which are rescues. To say how much land, we need to keep an animal healthy, just isn't fair.
- 27) **Jeremy Moe – New York** – Will put questions into writing.

The Hearing was closed at 6:50 p.m.

(Note: This is a summary of the comments. Minutes are not a verbatim record).

February 13, 2023

ROADMASTER'S REPORT/EMC UPDATE - JANUARY

- 1) Roadmaster's Report
- 2) Oak Hill Project – Penn Township will get back to us.

CODE ENFORCEMENT/PERMITS – JANUARY

- 1) 2 permits, 2 violations
- 2) Received a response from Doug Smith. Has been working with Conewago Contractors to move forward with the project.

Tom Danner stated 1000 Abbottstown Pike needs to be checked for junk.

UNFINISHED BUSINESS

- 1) **Consider adopting Fireworks Ordinance No. 2023-01** – Pete Socks made a motion to adopt Ordinance No. 2023-01, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **Provisional U&O's** – Tim Shultis will be proposing an amendment.
- 3) **Road Crew office discussion** – Tom Danner stated we received 2 quotes to update the sub panel. Randy's Electric quoted \$2,500 to run copper and \$2,100 to run aluminum. Michael Eisenhour quoted \$1,401.80. Bill Scott will put a materials list together and bring back to the Board.

NEW BUSINESS

- 1) **Pension Plan GASB Compliance Reports** – Barry Cockley made a motion to decline this report since S.E.K. does not require it, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **General Fund CD matures 2-23-23** – Pete Socks made a motion to put the CD in a 10-month CD, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 3) **Training for Municipal Secretaries 2-23-23** – Pete Socks made a motion to authorize the Secretary to attend the training, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

February 13, 2023

- 4) **Schedule workshop – Hanover Holdings/Vulcan Project** – Tom Danner made a motion to schedule a workshop on 2/28/23 at 8:30 a.m., and authorized advertisement, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 5) **Salt Shed Update** – Bill Scott received plans from Germany Township on their salt shed. Will need to engineer this out. Tom Danner will discuss this with Mr. Scott.

ENGINEER’S REPORT/PLANS

- 1) **Sewer Plant Updates** – Have not heard back on the grant applications. Did answer questions from DCED. The Water Quality Management permit application will be completed soon, and should be ready by the 2/28/23 workshop.

- 2) **Kinneman Road South** – No update at this time.

- 3) **Kinneman Road North** – Getting information ready to provide to the contractors on issues we have.

- 4) **Stanley Avenue Project** – No update at this time.

- 5) **Affordable Pet Supply – Final Land Development Plan – Stormwater Review (300 Pleasant St.) – Must act by 2/13/23**

The plan proposes the construction of a 50,000 SF light manufacturing facility and the extension of Borough streets into the property for access. The building and access improvements are located in Abbottstown Borough, but stormwater piping and a filter basin are located Berwick Township.

Tom Danner made a motion to grant Affordable Pet Supply a waiver to the requirement to submit a separate Preliminary Plan (304), seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Barry Cockley made a motion to approve the Affordable Pet Supply Final Subdivision & Land Development Plan (Stormwater Plan) subject to addressing all comments in KPI Technology’s letter dated 12/6/22, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 6) **Sewer – Biosolids Annual Report** – Pete Socks made a motion to authorize signing the report after review by the Sewer Plant Operator, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 7) **Bridgeview Development, Lot 3** – Tim Knoebel stated the developer would like to connect a sump pump to a catch basin on the street. They will obtain a permit and will enter into an O&M

February 13, 2023

Agreement. Tom Danner made a motion to approve the sump pump connection subject to the homeowner obtaining a road occupancy permit and recording a perpetual O&M Agreement meeting the approval of the Solicitor, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

SOLICITOR'S REPORT

1) **Dangerous Tree removal (Resolution #23-05)**

Pete Socks made a motion to adopt Resolution #23-05, subject to revising the length of cutting the logs from 8-foot lengths to 6 foot lengths, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

2) **Bid Package for dangerous tree removal**

Mr. Shultis will finalize the bid package for dangerous tree removal.

PUBLIC COMMENT (GENERAL)

1) Harry McKean and Bob Sharrah met with Cambrian Hills to discuss stormwater.

Barry Cockley made a motion to adjourn at 8:35 p.m., seconded by Scott Kennedy. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on March 13, 2023, 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

Jean A. Hawbaker
Secretary/Treasurer
**BERWICK TOWNSHIP
BOARD OF SUPERVISORS**