

WARRINGTON TOWNSHIP  
Minutes of a Regular Meeting of the Board of Supervisors  
Held, pursuant to due notice, in the Municipal Building  
3345 Rosstown Road, Wellsville, PA 17365  
Wednesday, September 21, 2022, 6:00 PM

Presiding: Supervisor Jason Weaver, Chairman  
Supervisor John Dockery  
Supervisor Zachary Fickes  
Supervisor Ed Mattos  
Supervisor Michael Saylor

Staff Present: Attorney Brian Linsenbach, Township Solicitor  
Terry Myers, P.E., Township Engineer  
C. Eric Swiger, Zoning and Codes Enforcement Officer  
Rebecca Knaub-Bradshaw, Township Manager and Secretary-Treasurer

The meeting was opened with the Pledge to the Flag.

Supervisor Weaver called a Public Hearing to order at 6:00 PM to hear testimony regarding possible adoption of amendments to the Warrington Township Subdivision and Land Development Ordinance.

Testimony was provided as follows:

The Township Manager testified that the public hearing and meeting were both advertised in the Dillsburg Banner on August 25, 2022, and that Affidavits for delivery of the Notice of Public Hearing were received stating the amendments for both documents were delivered to the York County Law Library and advertised on the Township website.

Mr. Len Kotz, Township Planning Commission member. Mr. Kotz said the Planning Commission worked on the following revisions to the Subdivision and Land Development Ordinance in conjunction with the Revised Zoning Ordinance that was adopted in March of 2022 with the help of C. S. Davidson, Inc. Township Engineer, Terry Myers. The following changes are proposed:

1. Section 313: Lot line adjustments, merger of existing lots and minor adjustments to approved plans.
2. Section 408: Agricultural preservation overlay zone.
3. Section 519: Watercourses and drainageways.
4. Section 520: Landscaping and screening requirements.
5. Section 603: Amount of financial security.
6. Section 604: Completion of improvements release of financial security.

Robert Koppenhaver, Ridge Road. Mr. Koppenhaver asked if copies of the changes will be available to the public. The Solicitor told him copies of the presentation are available tonight and the Ordinance books will be updated.

Supervisor Dockery. Supervisor Dockery questioned what the time of the Hearing was as stated in the public advertisement. It was verified that the Hearing was advertised for 6:00 and the Supervisors meeting is to begin at 7:00 PM.

Supervisor Weaver closed the Public Hearing for the Subdivision and Land Development Ordinance and opened a Public Hearing to hear testimony regarding changes to the Warrington Township Comprehensive Plan.

The Township Manager testified that the public hearing and meeting was advertised in the Dillsburg Banner on August 25, 2022, and that Affidavits for delivery of the Notice of Public Hearing were received stating the amendments for both documents were delivered to the York County Law Library and advertised on the Township website.

James Smedley, Township Planning Commission member. Mr. Smedley presented the prepared document. He said the Township Planning Commission worked to prepare the changes to the Comprehensive Plan from approximately 2020 through 2022 with the assistance of the Township Engineer, Terry Myers, C. S. Davidson, Inc. and Mr. Tim Cormany, Martin and Martin, Inc. Mr. Smedley said a Comprehensive Plan is a guide for the Township to use for future land use. He presented the following information.

Chapter X – Future Land Use

Section G. Land Preservation through Zoning. Maps are attached.

Plate 1 shows the Township Zoning Map

Plate 2 shows Prime Agricultural Land/Soils Capability Classes

Plate 3 shows the parcels registered in the County Clean and Green program

Plate 4 shows the parcels registered in the Agricultural Security Area program

Plate 5 shows the existing conservation easements

Plate 6 shows Significant Property Acreages

Plate 7 shows Proposed Agricultural Preservation Zoning Overlay

Supervisor Weaver adjourned the Public Hearing.

The Board of Supervisors adjourned to executive session to discuss hiring an Assistant Manager.

At 7:00 PM the Board of Supervisors meeting was opened with the Pledge to the Flag.

Supervisor Weaver announced an executive session that was held by the Board on September 13, 2022, to interview employee candidates.

Minutes. Motion was made by Supervisor Dockery and seconded by Supervisor Mattos to approve the minutes of the August 17, 2022, meeting. Motion carried unanimously.

#### EMERGENCY SERVICES REPORTS

Wellsville Fire Company. Presented by Mr. Brian Rodgers. The Fire Company responded to 12 calls in Warrington Township during the month of August.

Penn State Health Life Lion. The preliminary estimate of total dispatches in Warrington Township during August was 20. Of those, 17 were handled by Penn State Health Life Lion and 3 were handled by a different agency.

#### PUBLIC RECOGNITION

None

SUBDIVISION/LAND DEVELOPMENT PLANS/PLANNING MODULES

Leslie Anne and Thomas R Miller, Minebank Road. The plan proposes to subdivide the existing parent tract (87.02 acres) into a residential lot and an agriculture lot. Engineer comments are as follows:

**Subdivision and Land Development Ordinance:**

1. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Plan is made with his or their free consent. (§402.b.29)
2. In addition to paying filing fees prior to plan approval, the applicant shall pay the cost of:
  - Reviewing the land development plan and engineering details.
  - Final inspection for completion of installation of required improvements.
  - Legal services necessary for the processing of the land development plan.
3. The following signatures are required:
  - a. Township Sewage Enforcement Officer review
  - b. Township Planning Commission review
  - c. Board of Supervisors approval
  - d. York County Planning Commission approval

The plan was previously approved by the Board of Supervisors on June 17, 2020 re-approved on June 15, 2022.

The following modifications were also approved:

1. Section 403.b.10 – A 24” x 36” plan is submitted with a scale of 1” = 150’. The residence is existing, the residual parcel is proposed to be agricultural and the driveways to each lot are existing. Motion was made by Supervisor DeFrain and seconded by Supervisor Hawkins to approve the request for modification. Motion carried unanimously.
2. Section 506.d – The applicant is requesting no dedication of additional right-of-way for Minebank and Peiffer Roads. As indicated on the plan, the applicant will offer setback lines from the ultimate right-of-way for both roads with front yard setbacks offset from the ultimate right-of-way. Motion was made by Supervisor Hawkins and seconded by Supervisor DeFrain to approve the request for modification. Motion carried unanimously.
3. Section 512.a.12 – The applicant is requesting no paving of fifteen-foot driveway aprons on the existing two driveways. The right-of-way consists of hard-packed gravel as they exist and should prevent stormwater from leaving the property. Motion was made by Supervisor Hawkins and seconded by Supervisor Fickes to approve the request for modification. Motion carried unanimously.

This modification request was previously denied:

Section 523 – The applicant is requesting to waive the recreation fee because there will not be an increase in the number of residences since Lot 2 has been submitted with a non-building waiver. Motion was made by Supervisor Hawkins and seconded by Supervisor Weaver to deny the request for modification. Motion carried unanimously.

A Request for Planning Waiver & Non-Building Declaration was filed with PA DEP at the time of original plan approval.

The proposed Lot A, 9.66 acres, will contain a residential dwelling. An alternate septic site has been tested and approved by the Sewage Enforcement Officer. The proposed Lot B, 77.36 acres

will be dedicated for the express purpose of agricultural use. No portion of Lot B of this property are approved by Warrington Township or the Department of Environmental Protection for the installation of any sewage disposal facility as stated on the Non-Building Declaration and signed by the subdividers. Motion was made by Supervisor Hawkins and seconded by Supervisor Dockery to approve the Non-Building Declaration. Motion carried unanimously.

On September 21, 2022, motion was made by Supervisor Saylor and seconded by Supervisor Dockery to conditionally re-approve the subdivision pending original Engineer comments are addressed and with the stipulation that this will be the final re-approval of this plan. Motion carried unanimously.

Sarah E. Miller, 525 Lisburn Road. The plan proposes to subdivide the existing property at 525 Lisburn Road into 2 properties: Lot 2 (10 acres) and Lot 2A (57.72 acres). The lots are currently zoned Conservation and Rural Agriculture. The Proposed use for the lots has been identified as residential. Both lots have existing driveway access to Lisburn Road T-908 by means of a private street. This plan is considered a Minor Subdivision plan. Engineer comments are as follows:

**Subdivision and Land Development Ordinance**

1. Significant features include watercourses, 100 year floodplains, flood hazard areas, tree masses, steep slopes, and wetlands delineated in accordance with the “Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January 1989) and other features of note, shall be shown on the plan (§402.b.33). The applicant is requesting a waiver of this section with regard to wetland delineation. *A wetlands investigation has been completed for an allowable building area and has been shown on the plan. Note 27 refers to this possible building area and notes that any proposed development outside this area will require a wetlands study.*
2. The plans shall be drawn at a scale of 1” = 10’, 20’, 30’, 40’, 50’, or 100’ (§403.b.10). The applicant is requesting a waiver of this section. Proposed plan scale is 1” = 120’.
3. The applicant shall include the certification with signature, seal and date of the professional surveyor. (§403.b.22)
4. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same. (§403.b.27)
5. Parcels of land existing as of June 5, 1985 which have their sole access by means of substandard private streets (i.e. not meeting the minor street standards set forth in the ordinance) will not be permitted to be subdivided for the creation of additional lots unless the private street is improved to conform to all standards and specifications for streets as set forth in this ordinance and provided such lots meet all applicable requirements of the Warrington Township Zoning Ordinance (§514.d). The applicant is requesting a waiver of this section.
6. Pay a fee in lieu of dedication of recreation area for each proposed dwelling unit and/or lot on a subdivision or land development plan, which fees shall be established by resolution of the Board of Supervisors and amended only by the Board of Supervisors. (§523.a.2.B)
7. No plan shall be finally approved unless required improvements shown on such plan have been installed as may be required by this Ordinance. In lieu of the completion of any improvements required as a condition for the approval of a plan, the developer shall deposit with the Board of Supervisors financial security in an amount sufficient to cover the cost of such improvements. (§602)

8. In addition to such filing fees the developer shall pay any other costs associated with the subdivision and land development plan including:
- Review the plan and engineering details
  - Inspect the site for conformance with the survey
  - Prepare cost estimates of required improvements during installation
  - Inspection of required improvements during installation
  - Final inspection

Requested modifications:

Section 402.B.33 – Submission of a Detailed Wetland Study

Section 403.b.10 – Plan Scale

Section 514.d – Lots with Private Access

Section 506.I – Construction Standards of Private Streets – this request was approved by the Board of Supervisors August 18, 2021, conditioned upon improving the private drive at its intersection with Lisburn Road to a width sufficient for two vehicles to safely pass.

Motion was made by Supervisor Saylor and seconded by Supervisor Dockery to approve the three requests for modification and re-approve the 506.I with the requested condition. Motion carried unanimously.

Motion was made by Supervisor Dockery and seconded by Supervisor Fickes to conditionally approve the subdivision pending Engineer comments are addressed. Motion carried unanimously.

Resolution 2022-08 Joshua C. & Johnathan G. Firestone - 1890 Alpine Road. The plan is proposing to subdivide the existing 52.09-acre tract into 2 lots. Lot 1 is 41.37 acres and Lot 2 is 10.72 acres. The Township Planning Commission required the applicant to provide an approved Planning Module for Land Development as required by the Pennsylvania Department of Environmental Protection (§ 403.e.4). Motion was made by the Supervisor Mattos and seconded by Supervisor Dockery to adopt and submit to DEP for its approval as a revision to the “official Sewage Plan” of Warrington Township the Sewage Facilities Planning Module for the Final Minor Subdivision of Joshua C Firestone and Jonathan G Firestone. Motion carried unanimously.

### BUSINESS AND STAFF REPORTS

Wellsville Fire Company. Brian Rodgers reported that the information to be attained from the consulting service will not be usable until after the first of next year. He also said that the Fire Company was looking into purchasing a used truck but the truck was not heavy enough to fit their needs. He also said they are pursuing 2023 grant money. Dean Trump said they are now soliciting three bids for the truck. Supervisor Mattos copied an article from the Township magazine to share.

YCPC CDBG. York County Planning Commission awarded a Community Development Block Grant in the amount of \$66,000 to Warrington Township in November 2021. During the August 17, 2022, Board of Supervisors meeting Motion was made to award the contract to Lobar Associates Construction in the amount of \$65,507.03. The Lobar contract was not accepted by York County Planning Commission. Motion was made by Supervisor Saylor to rescind the motion to award the contract to Lobar Associates Construction in the amount of \$65,507.03. Supervisor Fickes seconded. Supervisor Dockery suggested that the Township not accept the CDBG from YCPC and construct the ADA improvements without the grant. Supervisor Saylor

and Mattos disagreed that they did not want to lose the grant money. Motion carried unanimously. Motion was made by Supervisor Mattos and seconded by Supervisor Fickes to assign the Township Engineer, C. S. Davidson, to head the project. Motion carried unanimously. The Engineer said he would meet with the Lobar Project Manager to get the contract specifications and then he will prepare a bid.

Road Crew report. Supervisor Mattos said he would like a list of projects the road crew need to complete. He said he met with the Road Foreman but has not gotten information back from him to date regarding the following items: 1. Crack sealing; 2. Updated road maintenance plan; 3. Major equipment replacement and long range plan; 4. Equipment maintenance list; 5. Construction materials list. Supervisor Fickes said he suggests that the trucks, plows and spreaders are gone over for maintenance in November. Supervisor Dockery asked what time of year crack sealing should be done.

2022-02 – Subdivision and Land Development Ordinance. Motion was made by Supervisor Fickes and seconded by Supervisor Saylor to approve Ordinance 2022-02 – Warrington Township Subdivision and Land Development Ordinance revisions as discussed during the Public Hearing on September 21, 2022, at 6:00 PM. Motion carried unanimously.

Resolution 2022-06 – Comprehensive Plan Upgrade. Motion was made by Supervisor Saylor and seconded by Supervisor Fickes to approve changes to the Warrington Township Comprehensive Plan as discussed during the Public Hearing on September 21, 2022, at 6:00 PM. Motion carried unanimously.

Comcast Cable TV Franchise renewal. The Solicitor said he is working with Cohen Law Group to produce a new contract. They are collecting information.

Act 57 Resolution. The Solicitor presented a Resolution to implement Act 57 of 2022 property tax penalty waiver provisions. Motion was made by Supervisor Dockery and seconded by Supervisor Saylor to adopt Resolution 2022-09 – Resolution to Implement Act 57 of 2022 Property Tax Penalty Waiver Provisions. Motion carried unanimously.

Zeigler Road culvert replacement. The Township Engineer prepared an application to PA DEP for a GP-11 General Permit to replace the failing culvert on Zeigler Road. During the August 17<sup>th</sup> meeting, the Board approved replacing the culvert with a 60” x 46” elliptical corrugated metal arch pipe. Motion was made by Supervisor Mattos and seconded by Supervisor Fickes to authorize the Engineer to send the permit application to PA DEP for approval.

Municipal Park Planning Module. The Engineer said the PA DEP Planning Module has been completed and sent to DEP for approval.

Zoning/Code Enforcement. The Codes Officer presented a monthly report showing permits that he issued, open violations that he’s working on, and violations that have been closed.

Pension Plan 2023 Minimum Municipal Obligation. The PA Municipal Retirement System, administrator of the Township pension plan, requires the Board of Supervisors to acknowledge their obligation to meet the pension plan contribution by December 31, 2023 using General Fund or State Aid money.



Mauldin Roller. Bids were received for the 1977 Mauldin Roller that was last run in 2017. Two bids were received. Russ Moody - \$300 and Brett Neidig - \$1,501. Motion was made by Supervisor Mattos and seconded by Supervisor Fickes to sell the Mauldin Roller to Brett Niedig for \$1,501.00. Motion carried unanimously.

Resolution 2022-07 Appreciation of service, Jacqueline Van Pelt. Motion was made by Supervisor Weaver thanking Jacqueline Van Pelt for seven years of service as a member of the Zoning Hearing Board. Ms. Van Pelt has accepted out-of-state employment and is no longer a resident of Warrington Township. Supervisor Fickes seconded. Motion carried unanimously.

Assistant Manager position. Motion was made by Supervisor Weaver and seconded by Supervisor Saylor to hire Renee Robison to the position with the starting date to be determined. Motion carried unanimously.

York Adams Tax Bureau. Supervisor Dockery attended the YATB meeting by telephone on September 14, 2022. He said the Tax Bureau has improved financially since the prior year.

Action plan. Supervisor Mattos said he has not received a list of items that need done or what he calls a “to do” list. He said besides the five items listed in the Road Crew report to add:  
1. Determine if a roof is needed on the building – Supervisor Weaver and Dockery, 2. CDBG ADA addition – Terry Myers, Engineer, 3. DCNR grant – Manager, 4. TV camera and visual display in meeting room, 5. IT and email security, and password protection – Manager.

#### ACCOUNTS PAYABLE

Motion was made by Supervisor Fickes and seconded by Supervisor Saylor to approve General Fund accounts payable in the amount of \$96,508.65 and State Liquid Fuels accounts payable in the amount of \$6,284.47. Motion carried unanimously.

#### ADJOURNMENT

Motion was made by Supervisor Fickes and seconded by Supervisor Saylor to adjourn the meeting. Motion carried.

The meeting was adjourned at 9:00 PM.

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Township Secretary