

The Peach Bottom Township **Board of Supervisors** met on **August 3, 2022** at 7:00 p.m. in the Municipal Office Building. Members present David Gemmill (Chair), Michael Kahl (Vice Chair) and Andrew Jarvis.

- **Motion** to accept the minutes as presented was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Public Comment

Mike Smith, Chief of the Delta-Cardiff Volunteer Fire Company thanked the Supervisors and employees for the foliage beatification program conducted at the fire station. He also thanked Supervisor Gemmill for flipping burgers during the Mason-Dixon Fair.

Old Business

Southern York County Emergency Medical Services

John Eaton, representing SYCEMS, went over previously provided staffing information, recruitment efforts and call volume to help answer questions noted in a letter presented to SYCEMS from the Townships of Fawn, Peach Bottom & Chanceford. They were able to hire 2 part time EMT's and 1 part time Medic; 1 full time Medic and 1 Part time Medic are working on final requirements. SYCEMS is still in critical staffing; there is an EMS shortage nationwide.

Supervisor Gemmill requested current staff numbers which will be provided. He noted that the same amount of money is being paid to SYCEMS, but the Township is not getting the service per the contract. Providing stand-bys for fire department events was also questioned.

Jeff Griffith provided information on transport requirements and laws for lights and sirens. Attorney Sharnetzka questioned the reasons for refusal to provide the requested information, using the contract as reference.

John Hash, Supervisor Fawn Township, stated that we need to give them a chance and Mr. Eaton will be the 1 contact/voice instead of multiple representatives.

Maxine Moul, Delta Borough Council Member, when questioned informed that Mr. Brooks from SYCEMS provides reports to the Borough and has been very upfront.

New Business

Anthony Costa, owner of 39 N. Castle Finn Road, addressed to board concerning the change in the grade of his driveway since the road was paved. He now has problems exiting his driveway.

Supervisor Jarvis presented pictures and stated that several layers of crusher run and millings were installed and blended back 25 feet into his driveway to help with the grade.

Supervisor Gemmill suggested the owner put more crusher run further back into his driveway.

Subdivisions & Land Development Plans

Appel, Jason - Map 5 Parcels 34 & 35 - Common Ownership Merger

The YCPC comments and plan were reviewed.

- **Motion** approving the Common Ownership Merger of Map 5 Parcels 34 & 35 was made by Supervisor Jarvis and 2nd by Supervisor Kahl, vote 3/0.

Reports

Solicitor

- Exelon Tax Assessment Appeal – Council for the County & School district will be reaching out if communication is not received by the end of the month.
- PBTwp v. Deutsche Bank National Trust Co., 7476 Woodbine Road – Sewage On-Lot Management Ordinance Violation, responsible party is having difficulties getting a septic pumper since it has been so long and the grade in which to pump uphill.
- PBTwp v. Michael Halloran-Balmer, 151 Cedar Hollow Road – Realty Transfer Inspection Violation letter sent and communicated received.
- Township Judgement - 239 Sycamore Trail – The attorney gave the background of the litigation. The Township offered to settle for \$20,000.00, the owner counter offered to settle for \$12,500.00.
 - **Motion** to settle the judgement for \$18,000.00 was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.
- Act 74 of 2022, New Fireworks Regulations – new regulations were presented.

Manager/Treasurer

- General Fund - \$1,396,632.68
- Liquid Fuels Fund - \$577.82
- Sewage Fund - \$22,473.44
- Recreation Fund - \$23,266.02
 - **Motion** to approve payment of presented and reviewed bills was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

The Manager requested a determination on requiring a permit for the installation of a concrete slab or such types of at-grade impervious surfaces, referencing Zoning Ordinance Section 217, Building Coverage.

The Supervisor stated that a permit is not needed unless a structure, such as a shed or garage is placed on the surface.

Public Works

For the past month the road crew has been back filling following road paving, mowing road banks, fixing signs and relocating trees. A leak at the Recreation Center needed their attention and resulting damage will require a contractor's expertise.

The Delta Ridge roads were reviewed for bond satisfaction. Manhole and drain box issues will need to be corrected. In determining the best course of action for repair the engineer suggested structural foam, which was explained by Supervisor Jarvis. A maintenance bond will be placed on those specific locations.

During that process it was noted that a Basketball Court was installed on 418 Misty Hill Drive right against the curb line.

- **Motion** to send a letter to the owner of 418 Misty Hill Drive requiring removal of the basketball court from the right-of-way was made by Supervisor Jarvis and 2nd by Supervisor Kahl, vote 3/0.

Supervisor Gemmill informed that a port-a-pot will be required at the Recreation Center for a Back to School Event. He was informed that the order has been placed.

Supervisors Gemmill has received several calls concerning the Zoning Hearing Board application by Enos F. Stoltzfus and Melinda E. Stoltzfus, for a property located at 6400/6402 Delta Road. The application is for a Variance to allow a refrigeration repair business and trailer rental/sales as multiple second commercial uses on a property with an existing residential use located in the agricultural zone.

Aaron Bleacher questioned if this would be considered spot zoning since it is zoned agricultural with a commercial use. He was informed that the zone will not change, the use will change.

Sammy McConnell is concerned with preservation of zoning, we have zones for a reason, be very careful in setting a precedence you cannot live with.

Supervisor Jarvis is concerned about the driveway; this will go from several vehicles to tractor trailers. A bus stop is located across from the entrance with no site distance coming from the north and hills on both sides, these large vehicles cannot get up to speed like smaller vehicles.

He also has a concern with any commercial use in the agricultural zone. As an example a solar farm ordinance was created keep good agricultural ground from being used for that type of commercial use.

David Bilger Jr agrees with Supervisor Jarvis recalling his experience when he worked at the kennel using that entrance, this is a concern for all types of vehicles.

Sharon Kahl stated that there are many places in the Township that are access challenged; this should not stop a business from coming into the area.

It was noted that PennDOT may require review of the driveway since it is a change of use.

Benjamin Stoltzfus stated that the Planning Commission pointed out that it is a very undesirable piece of ground for farming and currently has a commercial operation on the property.

- **Motion** authorizing Supervisor Jarvis to represent the Board of Supervisors at the Zoning Hearing Board meeting concerning the entrance being used by trucks and the lack of site distance at that location was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 2/0, Supervisor Jarvis abstained.

Supervisor Gemmill introduced Wendy Fink who will be the new State Representative for this area.

- **Motion** to adjourn at 8:18 p.m. was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.