

Mr. Rhoads

Your decision to not reappoint me seems to have been going on for a couple of months, and that you had already made up your mind since you already had a back up in mind. I had no chance but the last 20 minutes. There were some problems 15 years ago with sewer in the street vs in the back yards. The cost to the owners was \$500-700 vs the cost to the township of \$70-80,000. We relied on the engineer for direction.

Seems like you have been talking about this for 2 months. The authority has had problems the last year, it seems like there has been a grudge against the authority. I hope that the guys can work this out.

Commissioner
Knaper

Thanked Mr. Rhoads for the service given over the years. I feel strongly that we need to keep representation from each ward, and currently there were two representatives in Ward 3, thus my decision to vote the way I did.

APPOINTMENT
ZONING HEARING
BOARD

On motion of Commissioner Phipps, seconded by Commissioner Steele, Lou Tateosian and Jerry Kotek were reappointed to the Zoning Hearing Board for 3 year terms. All were in favor.

Comm. Steele

Construction on both sides of Allegheny Drive. Perhaps additional barricades should be added.

Mark Clark advised that the township is doing the work on the south side of Allegheny Drive, and he hopes to have curbs poured and backfilled by Saturday, providing the weather cooperates.

Concerned about the placement of signs by PaDOT in areas where we believe sidewalks may be constructed.

FRITZ FARM
REZONING

Attorney John Garber advised they had been responsive to the uses in the neighborhood. They had been contacted by Rosenmiller Farms and agreed to sign protective covenants for the next 30 years. Development would be in compliance with RL-3 zone. The request remains the same, but with restrictions on the land.

Attorney Jeff Reymeyer advised he had worked with the condo association on the protective covenants on the upper lots, and supported the request that the protective covenants be recorded. We worked with the bank to reflect the RL-3 use. We would not want all three lots to be rezoned residential.

George Stallman: In the interest of good planning we would like to see the upper 2/3's and the condos be rezoned RL-3. We would support all RL-3 zoning.

Attorney Robert Kane: Represents Steve and Karen Barley. Believes that the board should make one of two decisions: 1. Turn down the request. To ask for RH-9 and then have a private transaction that privately rezones through deed restrictions erodes what that means. 2. Rezoning the upper tracts to RL-3, what is what we are being told through the private transaction is what everyone wants. You can do a text amendment to permit Rosenmiller Woods in the RL-3 zone limiting to 3 per acre.

Comm. Schindo: If the upper two tracts are rezoned to RL-3 is that not spot zoning, aren't we opening ourselves to an appeal?

Atty Kane: Nobody can take you to court. This isn't a subdivision or land development to appeal. You should not be made a party to a scheme by rezoning RH-9 that is to be eroded by RL-3. You had an extensive hearing last month, now there is a private deal, you vote for RH-9 and we are really going to make it RL-3. Reject the application and rezone the upper two tracts to RL-3, readvertise for RL-3 zoning, you have the latitude to modify the application. Don't make yourself a partner to zoning RH-9 but developing RL-3; if there is an error in the zoning of Rosenmiller Farms then change the ordinance.

Atty Hovis: I was just provided a copy of the agreement. The proposal does limit the development of lot 1 & 2 for private residential use, and is restrictive for 30 years. It can be amended by 75% of the owners of the Rosenmiller Woods, Rosenmiller Farms and Wynterbrook Home Owners Associates.

The proposal could be amended and readvertized 10 days prior to a decision being made by the board.

Atty Garber: The township is not a party to the covenants. We are simply offering it as information to the board.

Atty. Rehymeyer: All objections to the rezoning are withdrawn.

Comm. Phipps: If the whole area is not changed to RL-3, that would be spot zoning, and I support the RH-9 zoning.

Comm. Steele: We have received a request for O-P and RH-9 zoning, and I believe that the present landowners have the right to make this request. I would suggest that before this change that the surrounding area that is zoned RH-9 is not consistent with the zoning use, RL-3 and O-P would be more appropriate. I question the RH-9 zoning, and suggest that the adjoining landowners consider starting the process to rezone the whole area to RL-3; believe that we would approve that if it came before us.

Pres. Briddell: Everyone agrees on the end result, we just don't know how to get there. Appreciate the efforts that have gone into the end result of RL-3 use of the land.

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ORD. 2001-01

Rezoning

On motion of Commissioner Schindo, seconded by Commissioner Phipps, Ordinance 2001-01 amending Chapter 265 of the Code of the Township of York by rezoning an area from Farming Open Space (F-O) to Office Professional (O-P) and High Density Residential (RH-9) was approved with the following voice vote:

Commissioner Schindo	Yes
Commissioner Phipps	Yes
Commissioner Steele	Yes
President Briddell	No
Commissioner Knaper	No

Rezoning

Duquesne Rd.

Commissioner Schindo made a motion to approve the request to rezone property along Duquesne Road from RL-3 to RH-9. This motion died for lack of a second.

On motion of Commissioner Phipps, seconded by Commissioner Schindo the request to deny a request to rezone property along Duquesne Road from RL-3 to RH-9 was approved. Vote 3 yes, 1 no, Commissioner Knaper abstained.

TOWNSHIP MANAGER'S AGENDA

Treasurer

Compensation

On motion of Commissioner Schindo, seconded by Commissioner Steele the compensation for treasurer and tax collector is \$10,000, and \$8000 for Act 511 taxes. All were in favor.

PUBLIC WORKS

Duquesne Rd.

On motion of Commissioner Phipps, seconded by Commissioner Schindo the estimate for rebuilding Duquesne Road presented by Mark Clark was approved. Vote 4 yes, 1 abstain (Knaper) (estimate attached)

COMMUNITY CENTER

Batting cages

On motion of Commissioner Steele, seconded by Commissioner Steele the low bid for the batting cages was accepted. Vote 4 yes, 1 no. (bid attached)

RECREATION DEPT.

Newsletter

Dale Dalton advised that all items for the newsletter will be needed by January 24th.

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Recreation, Parks
& Greenway Study

Dale advised that the committee for the Recreation Parks and Greenway study will consist of about 15 people from the community. He asked for one of the commissioners to be part of the group. Commissioner Steele suggested that he include women on the committee; lots of young ladies playing soccer and softball.

250th Township
Anniversary

President Briddell will work with Dale on a committee for the anniversary.

SOLICITOR'S
AGENDA

Honey Valley Road

When the township offered compensation to Mr. Blouse for land that the township needed for the signal installation the billboards were not considered as part of the compensation. PaDOT will not allow the billboards to be relocated on residential property. Solicitor Hovis asked the board to increase the compensation by \$2000, which would cover the future lease payments to Mr. Blouse. One of the billboards is not on his property and there would be no compensation for that. On motion of Commissioner Schindo, seconded by Commissioner Phipps, the board agreed to increase compensation to Mr. Blouse by \$2000. Vote 5 yes.

YTW Federal Credit
Union

On motion of Commissioner Schindo, seconded by Commissioner Phipps the right of way dedication and abandonment agreements associated with the YTW Federal Credit Union land development plan were approved. There was discussion as to if a 50' wide strip of land for the construction of the sewer line was necessary. Mark Clark advised that in order to save some of the larger trees in the area they did need the extra 30' to get around what's there. Vote 5 yes.

ENGINEER'S
REPORT

Apple East Ford
LD00-11-1

Plan presented by Mike Jeffers, LSC. On motion of Commissioner Schindo, seconded by Commissioner Phipps the plan was approved with the following conditions or modifications:

1. All comments of the January 9, 2001 letter from Dennis Henry to be addressed.
2. Waiver granted for section 609, modification to allow additional evergreen trees at adequate spacing to create esthetic visual screen for adjoining residences.

3. Waiver granted for modification to include repositioning and shielding of existing and any new exterior lighting to substantially reduce "light pollution" to adjoining residential uses.

Vote 5 yes

Larkin/Reck

P00-11-1

Plan presented by Jim Barnes, Holley & Associates. On motion of Commissioner Schindo, seconded by Commissioner Steele the plan was approved with the following conditions or modifications.

1. Future land development or subdivision plans of the properties shown on the Larkin/Reck subdivision plan will be required to complete full wetland investigations to substantiate the extents as delineated on said plan.
2. Waivers granted for:
 - a. Section 403.A. Plan scale
 - b. Section 404 Feasibility report on sewer and water facilities
 - c. Section 602.A.7 street widening of existing public adjoining streets
 - d. Section 603B sidewalk installation
 - e. Section 603.C curb installation

Vote 5 yes

Taddonio/Serls

P00-11-2

Plan presented by Jim Barnes, Holley & Associates. On motion of Commissioner Schindo, seconded by Commissioner Phipps, the plan was approved with the following conditions or modifications:

1. Property corner monumentation must be field established prior to recording of the plan.
2. Waivers granted for the following:
 - a. Section 406 Wetland study
 - b. Section 403.C.1 Existing contours, benchmark, datum
 - c. Section 602.A.7 requirement for road widening with 6 month statement on plan
 - d. Section 603.B sidewalk construction with 6 month statement on plan.

Vote 5 yes

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Campbell Seibert
LD00-6-2

On motion of Commissioner Schindo, seconded by Commissioner Phipps the plan was reapproved by the board with the same conditions as the previous approval. Vote 5 yes.

Stetler property

On motion of Commissioner Phipps, seconded by Commissioner Steele a Phase II Environmental Assessment will be done on the Stetler property. Vote 3 yes, 2 no. Commissioner Knaper asked what is the intended use of the property? President Briddell said that once it was cleared there could be a passive park. Commissioner Steele advised that he would like to see it cleaned up to prevent flooding problems downstream.

Cerutti

Dennis Henry advised that he had not received any response from Mr. Cerutti on the right of way needed along Chambers Road. Commissioner Schindo advised that he would contact him again to see why we did not get any response.

Sidewalks
Diehl

On motion of Commissioner Phipps, seconded by Commissioner Steele, notice will be sent to Diehl motors on South Queen Street to advise them to install sidewalks along Queen Street. Vote 5 yes.

PaDOT

Dennis advised that PaDOT is looking to upgrade to 3 lanes between Pauline Drive and Dew Drop Road, with 3 lanes at the signal light. This is scheduled for 2002. PaDOT also plans to overlay Queen Street through Spry in 2002.

Green Valley
Sewers

The board hoped that the Water & Sewer Authority will move forward on this issue at the meeting on Monday, January 15, 2001.

ADJOURN

On motion of Commissioner Schindo, seconded by Commissioner Steele, the meeting was adjourned at 9:26 p.m.

Elizabeth T. Heathcote, Secretary