

The Peach Bottom Township **Board of Supervisors** met on **August 7, 2024**, at 7:00 p.m. in the Municipal Office Building. Members present David Gemmill (Chair), Michael Kahl (Vice Chair) and Andrew Jarvis.

Supervisor Gemmill introduced Meredith Robinson-Yakelis who has been hired to be trained so Catherine Bilger can retire.

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

### Public Comment

Mike Smith, Chief, Delta-Cardiff Volunteer Fire Company informed that several emergency road signs had been relocated to Aubel Road, not by emergency workers, and Supervisor Gemmill was able to recover the wayward signs. He also thanked the Township for purchasing a pallet of bottled water distributed between Delta-Cardiff VFC and Citizens VFC.

Brooke Daneker, 1790 Bryansville Road, asked if the trees harvested from 1796 Bryansville Road will be replanted. “Anyone cutting or removing trees or permitting trees to be cut or removed in violation of this ordinance shall replant trees in the area where such trees were cut or removed.”

Supervisor Gemmill informed that he was provided with a tree count and the owner is not in violation. He also met with 2 adjoining property owners who are satisfied with the erosion mitigation overseen by York County Soil Conservation.

Amos King, owner of 1796 Bryansville Road, donated to the DCVFC for their responses to his property while he was burning debris.

Craig Metzler, owner of 933 Bryansville Road, submitted a permit application for their Layer House Project. Commonwealth Code Inspection Services reviewed and determined the egg room portion of the project requires UCC Commercial Inspections. He has hired a consultant to facilitate this permit since communication with the permitting agency has been difficult. Mr. Metzler asked for advice since this room is agricultural and would cost thousands to meet commercial UCC regulations.

The attorney informed that CCIS was hired by the Township as the appointed Codes and UCC enforcement; the applicant can appeal their decision to the York County Uniform Construction Code Board of Appeals.

Mr. Metzler reiterated that this is an agricultural project with no habitable floor space, no employees, they do not need handicapped ramps or fire walls.

Supervisor Gemmill suggested the board reach out to CCIS for clarification and Supervisor Jarvis noted it should be a conference call.

Sharon Kahl suggested working with the Farm Borough to enact a bill changing UCC requirements.

Richard Ammons, 296 Black Oak Trail expressed his frustration with Commonwealth Code Inspection Services.

### New Business

Eric True – 258 Falls Rd – Request for a Permit Extension.

Mr. True is building the dwelling himself and is currently working on the inside and final inspection; hoping to be completed in the fall. His final permit extension expired in April.

- **Motion** giving until December 31<sup>st</sup> to acquire Use & Occupancy on his dwelling was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

Justin Pritchett, 280 Hilltop Rd, provided information on dirt bike violations along his road. He emailed the Township along with another resident which had been forwarded to the Zoning Officer. He would also like to know if the Township can do anything about dogs not under the control of the owner. He has contacted the Dog Warden and the PA State Police without resolution.

### Old Business

Southern York County Emergency Medical Services Report – Richard Brooks  
SYCEMS has acquired 2 vehicles, one is a re-chassis and the other a high-end demo; both of those are going through outfitting. They have hired 1 full-time paramedic and 1 part-time emergency medical technician. The golf tournament fundraiser was a great success, and the Bull & Pig Roast fundraiser will be held on August 17<sup>th</sup>. He noted an article in the Star Paper which highlighted early CPR and defibrillation which increases the survival rate.

239 Sycamore Trail - BSRE Holdings, LLC. Buyer requesting payoff amount.  
Jeff Mohler asked for an arrangement to lessen the lien placed on the property by the Township. Prior requests to settle the lien and violations were provided.

### Subdivisions & Land Development Plans

NHSG LLC – Map 2 Parcels 368 & 370 – Common Ownership Merger.

Creating a 1.07-acre lot. York County & Township Planning Commission comments were reviewed.

- **Motion** to approve the Common Ownership Merger for Map 2 Parcels 368 & 370 was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

Mullins, Isaiah & Kiersten – Map 2 Parcels 42 & 43 – Common Ownership Merger

Creating a .99-acre lot. York County & Township Planning Commission comments.

- **Motion** to approve the Common Ownership Merger of Map 2 Parcels 42 & 43 was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

Johnnie Barker/Beth Powers – Map AP Parcel 36H - 30 Baxter Road & 64 Slate Spring Road  
The 7.41-acre lot will be divided, 3 acres will be added to Parcel 36J (64 Slate Spring Rd), leaving Parcel 36H (30 Baxter Rd) 4.4 acres with existing well and septic.

Layne Clark from Gordon L Brown & Associates presented a revised plan per York County and Township Planning Commission comments. A DEP Form B non-build waiver has been submitted for approval. A discussion ensued concerning, Private Street – A street which provides direct access to not more than three (3) residential lots, and not offered for dedication to the Township

- **Motion** to recommend the Supervisors waive SALDO Section 501.o & 601.n, the map should be oriented so that the top of the map is due north, Section 601, plan shall be drawn at a scale of either fifty (50) feet to the inch or one hundred (100) feet to the inch scale, Section 703.a2b, No more than three (3) lots shall be permitted on any one private street, due to the belief that historically 4 accesses have been on Baxter Road was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

## Ordinances

- **Motion** to close the regular Board of Supervisors meeting and open a Public Hearing was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

### Calpine/Ordinance No. 2024-01 Amendment to Zoning Ordinance and Map

Craig Wilson, representing Calpine, is requesting Map AP Parcel 47Z be rezoned from Residential to Industrial to allow them to pursue a Special Exception approval for a Solar Project. A history of the parcel use and zoning designation was provided. The Township and Calpine have entered into a development agreement that restricts the use of the property should the Board approve rezoning; it could not be used for anything other than a solar project without additional approval from the board. The agreement was approved by the Board at their April 3<sup>rd</sup> Meeting.

Mike Smith asked what would occur if Calpine were not granted Zoning Hearing Board approval.

He was informed that Calpine is taking that risk and would have to abide by the agreement and approach the Board of Supervisors for any other use of the land.

Sammy McConnell is in favor of the agreement as long as buffers are installed.

David Bilger Jr. suggested Calpine approach the school concerning their prior request to the Township for a secondary access.

- **Motion** to close the Public Hearing and re-open the Board of Supervisors meeting was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- **Motion** to approve Ordinance No. 2024-0, Amendment to Zoning Ordinance and Map for Map AP Parcel 47Z was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

## Reports

### Solicitor

- Resolution adding Gross Brothers land to the Agricultural Security Area.
  - **Motion** to adopt Resolution 2024-01 adding Map AO Parcel 4A, Map BO Parcels 45A, 46 & 49 owned by the Gross Brothers to the Agricultural Security Area was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- On-Lot Sewage Management Violations.
  - Krewson- 74 Hemlock Hollow Rd- unable to serve civil complaint.
  - Keller/Hawkins-58 Woodvale Rd- court no show, Township awarded judgement.
  - Lowry- 42 Mulberry Rd – judgement to be transferred.
  - Rowe- 120 W. Trails Rd – constable to serve civil complaint.
  - Cairns/Schilling- 7476 Woodbine Rd – complaint filed.
- Farmstead Exemption Ordinance – revisions reviewed.
  - **Motion** to send the proposed Farmstead Exemption Ordinance to York County Planning Commission for review was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- Transource – update – a Memorandum of Understanding was provided; a commitment to work with the Township. The Bramah Substation project will consist of 46 acres requiring an NPDES permit. The location provides a buffer from anyone’s vision with thick forest growth. Transource has agreed to post security, repair any road damage, at all times notify the Township if they are moving forward with any development, pay all

engineering & legal fees, and comply with the driveway ordinance. This will lead to a further agreement as it moves forward. Kiewit Energy Group has been designated as the contractor with construction scheduled between 2025-2027.

Mike Smith expressed his opinion on power generation within the Township supplying electricity to other states, yet the Township continues to have power outages, power surges and brown outs with minimal service during emergencies.

- **Motion** to approve the Memorandum of Understanding with Transource concerning the Bramah Substation project was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.

#### Manager/Treasurer

- General Fund - \$1,045,362.48
  - Liquid Fuels Fund - \$18,269.90
  - Sewage Fund- \$25,380.50
  - Recreation Fund - \$6,941.25
- **Motion** authorizing the payment of reviewed bills was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

#### Public Works –

For the past month the road crew has been mowing, preparing for guide rail installation & seal coating along with emergency pipe replacement on Bunker Hill Road.

125 Griffith Road – numerous letters have been sent to the property owners. Debris and mud continue to wash out onto Griffith Road.

- **Motion** directing the attorney to send a letter to 125 Griffith Road was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Gemmill, vote 3/0.

58 Booker Rd - letter sent concerning ponding on Booker Road from driveway. If not remedied the road crew will need to grade a swale to mitigate the problem.

The new mower has arrived, and the old mower has been removed. The selling of the old mower was discussed but tabled until next month.

The road crew has been renting a compactor plate from Cleveland Brothers for the backhoe to facilitate the multiple pipe installations completed this year. Besides paying the rental fee, you need to include retrieval and return. A new compactor plate with a 2-yr warranty would cost the Township \$8,250.

- **Motion** to approve the purchase of a vibratory compactor plate for \$8,250.00 was made by Supervisor Gemmill and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.
- **Motion** to amend the agenda to include the resignation of David Heiner from the Zoning Hearing Board and the need to appoint a new member to complete his term was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl vote 3/0.
- **Motion** to appoint Allan Bleacher to fulfill the remainder of David Heiner Zoning Hearing Board Members term was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Gemmill, vote 3/0.
- **Motion** to adjourn at 9:15 p.m. was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.