

Conestoga Township B.O.S Minutes
March 3rd, 2020

CALL TO ORDER-The Supervisors meeting was called to order at 7pm by Berry.

PRESENT-Supervisors; John Berry, Robert Hershey Jr., and William Rankin, Secretary Naomi Little, Citizens; attendance list attached.

MINUTES- The Supervisors approved February 2020 BOS Meeting Minutes on a motion by Rankin, second by Hershey Jr. All in favor none opposed.

BILLS- The Supervisors approved all bills paid during the month of February on a motion by Hershey Jr, second by Rankin. All in favor none opposed.

TREASURER'S / ZONING - On front table and filed in office for review.

GENERAL PUBLIC

Eric Doman asked what the budget is for the Fire Co. from the Township. Berry stated that the Fire Co. gets an allocation of \$40,000.00 a year and the Twp. pays for their Workers Comp Insurance. Eric said he appreciates all the Fire Co. does for the Twp. and just wanted to know because he knows they need help. The Board agreed and said that the Fire Co. does a lot for the Township and is grateful for all they do.

Scott Kriner asked if there will be any improvements to the Rail Trail access points. Berry said he should contact the Boy Scouts to find out.

OLD BUSINESS:

None

NEW BUSINESS:

2020 Road Bids- Sealed road bids were opened and reviewed,

Conestoga Twp. 2020 road bid was awarded to Longs Paving at \$335,202.71

Motioned to award by Berry, second by Hershey Jr. All in favor none opposed.

Other bids that were considered were; Pennsy Supply at \$341,496.93

Highway Materials at \$344,885.52

Green Hill Estates- Resolution 2020-09 to approve the Deed of Dedication for parts of Grandview Lane and Natures Way and also the maintenance agreement between the Township and Green Hill Estates. Motioned to approve by Rankin, second by Hershey Jr. All in favor none opposed.

Rail Trail- Proposal for the second stage of rehabilitation of the Trestle Bridge to begin and costs to be split with Martic Township, also to proceed with Martic Twp. to apply for another grant application to DCED-GTRP. Motioned to approve by Hershey Jr. second by Berry. All in favor none opposed.

Bard Rezoning- Motion to approve by Hershey Jr. second by Rankin to proceed with the rezoning process for Michelle and George Bard's Farm from Rural Conservation to AG. All in favor none opposed.

Indemnification and reimbursement commitment from Bards -Motion by Hershey Jr. second by Rankin. All in favor none opposed to approve to indemnify the Township against any legal

liability against the Bards actions with the process of rezoning and a commitment from the Bards to reimburse the Township for any expenses incurred for the process of the rezoning.

Wes Bruckno, Chairman of the Planning Commission stated that the P.C. is in favor of the rezoning and that it is compliant with the Township's Comprehensive Plan. He commented on the concern about this being spot zoning and stated that none of us are lawyers and the issue of spot zoning is in case law and not in the statutes of PA. He said that spot zoning is defined as the singling out of a piece of land usually a small piece of land for a different treatment than what is around the property for the benefit or financial gain of the property owner and he does not think this is the case since the area is about 150 acres and not a small area and also Wes said that it is not considered financial gain and it can be considered as downzoning.

Berry stated that he agrees with saying the property could be considered downzoned but he respectfully disagrees with Wes Bruckno as far as his perspective of spot zoning. He stated that he has worked in zoning for the Township for many years and was trained and taught that the definition of spot zoning is defined as anything that creates an island or peninsula on the zoning map. It seems that this would create an island of Ag in the middle of Rural Conservation and he feels that the size doesn't matter rather the fact that it is making an island.

Hershey Jr. asked if there is an acreage size that is mentioned to define this and Wes stated that there is no size mentioned in the courts.

Berry asked if it was in Clean and Green, Mr. Bard stated it is in clean and green and also an AG Security Area.

Berry asked if the neighboring properties will be notified so that they are aware of the project.

Wes Bruckno said that it is not required by law to contact the neighboring properties and that he recommends against it and to do exactly as the municipalities planning code requires and no more to avoid a procedure flaw.

George Bard stated he wants to point out that nothing is going to change with the property and that with the frontage as it is it would not make it a good area to develop. Also there is 90 acres that is next to the property that is wood land, RC and is already being preserved through the Lancaster Farmland Trust.

Hershey Jr. asked Wes Bruckno how the Township can prevent this rezoning from opening a can of worms to everyone wanting anything and how do you choose who gets what.

Wes Bruckno said that anyone can always ask whenever they want to consider rezoning but it would have to comply with the Townships Comprehensive Plan and meet the conditions set in case law.

The Board stated that they have no problems with preserving a farm, Berry stated that everyone needs to be conscious of what best for the Township as a whole and work to make the best decision for all.

Side Dumper-Motion to purchase a new side dumper for the Township truck to replace the worn out one on a motion by Hershey Jr. second by Rankin. All in favor none opposed.

ADJOURN- @ 7:35pm Motioned by Rankin, second by Berry. All in favor none opposed.

Respectively Submitted by, Naomi Little -Secretary

Conestoga Township Board of Supervisors Meeting

Sign in sheet for 2020

March 3rd

1. Eric Roman 4 Campside Circle Drive
2. L. Eshleman Green Hill 693
3. Parke Ringer 3470 Main St.
4. Wes Brubens 332 Kendig
5. Bill Goss 8 Campside Circle
6. George & Michele Bard 121 Shuks Ferry Rd
7. Jim Hillard LAND GRANT SURVEYORS
8. Ron Warner 3900 MAIN ST
9. Joe Cott Highway maintenance
10. Judy Stoner Green Hill Rd.
11. Elaine Jones 316 White Chapel
12. Matt Kriner 80 Cambridge Dr.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.