

August 12, 1996

The Mount Joy Township Supervisors held their regular monthly meeting on Monday, August 12, 1996 at the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All members were present.

The minutes of the last regular monthly meeting, July 12, 1996, and the special meeting July 1, 1996 were approved by motion of Moul, 2<sup>nd</sup> by Dayhoff, carried.

The Treasurer's Report and Bills to be Paid Report consisting of \$2,451.44 to be paid out of the Payroll Account, checks numbered 1554 through 1564 and \$19,729.54 to be paid out of the General Account, checks numbered 7499 through 7518, were approved by motion of Moul, 2<sup>nd</sup> by Dayhoff, carried.

There were no subdivisions for review.

Road Report:

Road Salt - A quote from Cargill Salt has been received for \$38.00/ton. Moul moved to accept the quote, 2<sup>nd</sup> by Beebe, carried.

The new mower has arrived and is working well as the mowing was done quickly. The tractor has another oil leak.

Starting today, pipes are being replaced on White Church Road. The contractor for the paving work will resurface in the spring for the same price as bid. It would not be good to resurface just after replacing pipes because the new pipes would sink and make a bad job out of any resurfacing that would be done now.

There was a meeting with the contractors doing the road paving. Williams will pave (sub-contractor) and Hammaker will resurface and chip.

Engineers are working on the box culvert project, which is going to cost a lot more than anticipated. The supervisors need to have a workshop meeting with the engineer.

The work under the Soil Conservation District has not yet started (Near Wiles farm.) The contractor had trouble getting a bond; was asked for an irrevocable letter of credit. Then the banker and lawyer couldn't get together. This should be the responsibility of the contractor.

The weeds at the end of Barlow Two Taverns Road and Rt. 97 are not the responsibility of the Township. Moul says two mowings have been completed. Usually three are done, but maybe this year four will be needed as things (brush and weeds) are growing faster.

Correspondence:

Moul says he talked with Greg Boyle regarding where we stand with their project. Boyle says he put a letter in the mail but it has not yet been received. Bob Sharrah says a letter was faxed to him last Thursday. A traffic consultant has been hired, meetings have been held with PennDot, and a technical engineer has been hired. Conceptual plans regarding design and marketing needs are being revised. The project is moving forward. Moul stated that Boyle said that before the end of the year, action will begin at the site, and Sharrah agrees. They have had three meetings with WRRMA about sewer and water. They currently will have enough EDU's; at the current growth rate and the immediate influx of the Boyle project, without expansion the sewer will be a capacity in three or four years.

Old Business:

Benner Farm - A letter was received from Atty. White. The Planning Commission has not yet approved the minutes of their last meeting and so they are not yet of legal use. There was a motion by Dayhoff to give approval to set up a zoning hearing and come up with a change to the Zoning Ordinance. Moul asked if this has been discussed with the solicitor. Only an informal request has been made. Moul says before any steps

are taken, it should be discussed with the solicitor. Beebe says it is their (Benners) responsibility to formally file to go after any zoning change. Dayhoff thinks they are just asking for approval of the concept. Beebe doesn't know the specifics; only a memo from the zoning officer regarding the Planning Commission's recommendations has been received. Moul says to find out for sure what the Township should do and the solicitors from both parties should get together.

William Miller - A formal application was submitted about a year ago for conditional use to convert a two-unit building to a three-unit building. Bower's comments are applicable except paragraph B; this should be stricken. The narrative and sewer module are acceptable. Miller/Atty. Puhl recessed form private discussion. Bower noted that the two-unit building to be turned into three (units) is not being served by sewer. The proposed plan calls for a sand mound. It is unclear if additional conversion is legal under the table of uses. The site has three buildings, single family; the third building, "C", used to be a shed or workshop. The prior owners converted it into two units but never completed. These have never been occupied legally. The property was sold by bankruptcy court in 1994. The building's being occupied legally or not is the responsibility of Mr. Miller, if he is collecting rent. It is believed that it is in compliance with the zoning ordinance but reasonable restrictions could be imposed. They disagree that this is a land development plan. Regulations for water use supply could be stated in the conditional use permit. One more unit may or may not affect the flow of traffic; think a traffic study is not needed. Beebe stated that this would be six acres with six total apartments. There was a question about the tenant living her illegally. He uses the facilities in "B" building and lives in "C". Living quarters would be above the office space. Smoke detectors should be installed. The sewer serving "A" probably has "B" illegally connected to it. He wants to disconnect this and make it legal by putting it and "C" into the sand mound. The building does not look like a single family home. There is no screening or common trash disposal area, but has adequate paving to locate a dumpster. Beebe says the paved area is where a lot of sheds get painted. The apartment could have children living in it with a lot of sawing, nail guns, etc. going on underneath. He sees problems with converting the upstairs to apartments. Moul says before the decision is made, he wants to go there and go through everything. Atty. Puhl feels the Twp. solicitor should also be brought into this discussion. Moul asked who was doing business there; answered, Jake Stoltzfus. A time of 10 am Wednesday was set to tour the property.

Auditors' quote - The roof repair work was bid two times, no bids received. Heiser says a quote may be accepted.

Fee for Zoning Hearings - The Klein family hearing (golf course project) was over \$500. The engineer's fee was over \$500. The stenographer's fee is usually about \$100.00. It was discussed with the solicitor and suggested that he prepare and ordinance or resolution that the applicant pays all fees. Motion he prepare an ordinance or resolution that the applicant pays all fees. Motion by Beebe to instruct the solicitor to prepare for a starting fee of \$500.00 and anything over that amount, the applicant should pay. Moul thinks that some things are minor and would rather see a lower figure and then stipulate that anything in excess be paid by the applicant. Beebe amended his motion to the amount of \$300.00 and the solicitor will prepare a document that all additional costs will be the responsibility of the applicant. 2<sup>nd</sup> by Moul, carried.

#### New Business:

Snow Plow-the plow is bent out of shape. A new frame is \$1900.00 (Valk Mfg.) Dayhoff asked if Miller Fabrication had been consulted. They have not been; don't know if they have the equipment to handle something that big. It should be repaired or replaced before the snow season. The repair cost is half the cost of a new plow.

Low Dutch Road - Moul says that people have talked about going off the road. Beebe responded that the problem has been fixed today.

Beebe also stated that when a barrier or sign is purchased, "Mt. Joy Twp." or some other identifying mark be painted on them. Beebe says signs are being stolen.

Office Addition - Information regarding cost estimate was just received this evening. The supervisors will look at this for next month.

Public Comments:

Bob Sharrah - In regard to Yingling's, in June conditional approval was received. In July the approval was rescinded. Someone went to the Adams County Conservation District and saw a permit to cross wetlands. It can't be reached from Rt. 15 or Heritage Drive. Moul says this is not the problem. The plan he saw is not in concurrence with the original plan. There is nothing wrong with moving the building or drain. The problem is a 20' drive to access the woods and a possible single-family dwelling. Sharrah says application for a single-family dwelling was not made. Moul says that after the meeting (at which the conditional approval was rescinded) he talked with the zoning hearing board chairman and with Mark Lewis who talked to Cathy Gault. The Twp. does not have the right to expand the building. Sharrah says the decision was ambiguous; only structure be approximately 18,000 sq. ft. The portion devoted to commercial use was to be 18,000 sq. ft. The engineer recommends that the zoning hearing board attorney and the township solicitor look at this and clarify the decision as to whether it can be 18,000 sq. ft. or 18,000 plus 2,000 and present something to the supervisors. Motion by Moul to have the chairman and the solicitors get together and come up with a clarification. Sharrah asked that the conditional approval be reinstated with the two solicitors getting together. If the decision is no bigger than 18,000 sq. ft., Mr. Yingling will have to decide if he wants to take it back down to 18,000 sq. ft. The engineer says that if the solicitors decide the plan is not in concurrence with the conditions, approval would be denied. Motion seconded by Beebe, carried. Beebe, motion to contact Atty. Gault, 2<sup>nd</sup> by Moul, carried.

Beebe contacted by PennDot about flooding at PA 97 and Two Taverns Road. He will attend a meeting about this.

Henry Reaver - Asked about the "1-ton" sign on the bridge and wondered if it will be fixed soon, and if iron beams will be put on it. Was answered yes, it will be repaired soon; Mt. Joy and Germany are working out the details.

There was a question about Hillside Estates Road. This will be paved at the end of the month.

Ivan Lufriu - Regarding the bridge on Fish and Game Road, PennDot wants feedback from the community. He would like to have this brought up at the meeting with PennDot on the 26<sup>th</sup>. Also asked if anyone has filled the opening for zoning hearing board alternate.

Eileen Holmes - On the bend on White Church Road toward Hillside Estates, "Watch Children" signs should be put up on both sides of the development.

Motion by Moul to adjourn at 8:50 p.m. 2<sup>nd</sup> by Beebe, carried.

Submitted by Bonnie L. Koontz, secretary.