

**Mt. Joy Township  
Supervisors' Regular Meeting & Public Hearing  
January 19, 2017**

**Meeting Minutes**

**Present:** John Gormont, Chairman; David Updyke, Vice-Chair; Dennis Bowman; Gil Clark; Bradley Trostle; Susan Smith, Solicitor; Sheri Moyer, Secretary

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, Pennsylvania.

**Call to Order:** John Gormont, presiding.

**Starting Time:** 7:00 p.m.

**Pledge of Allegiance**

**PUBLIC HEARING**

**Call to Order:** Public Hearing Meeting, duly advertised, opened at 7:01 p.m.  
Chairman, John Gormont presiding.

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY,  
ADAMS COUNTY, PENNSYLVANIA, CHAPTER 110, ZONING, TO REGULATE  
PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES

Ms. Smith explained that this ordinance is the result of an inquiry by a property owner who was interested in bringing a commercial vehicle to a residential lot. Since the ordinance that is currently in place does not provide for such activities. The ordinance this public hearing is for is to amend the current ordinance to allow for this. She then went through the ordinance explaining the standards to allow for commercial vehicles parking on residential lots.

**Public Comments:** Anthony (Andy) Easter, 328 Furney Road, wanted to know the definition of storage trailers. Mr. Easter also spoke about campers and RV's and who is allowed to stay in them.

Omar Hottenstein – 220 Spangler School Road, questioned the definition of recreational vehicles and the limit allowed. He also questioned storage boxes. Ms. Smith said the rental "Pods" for storage are not the subject of this ordinance. Mr. Hottenstein questioned how this will be enforced. He also questioned about an appeal process for setbacks and parking trailers within the setback.

Kathleen Easter, wife of Andy Easter, questioned about trailers being used strictly for storage that have to be removed and what ramifications if they are not. She questioned what is the reason for this ordinance? She wanted to know who started all this. Ms. Smith said she explained this at the beginning. The township was contacted by someone interested in putting a

commercial vehicle on their property which is residentially zoned. When looking at the ordinance it was found there was no permission to do that. This is an attempt to authorize it. The township has adopted zoning and that zoning regulates the use of land.

Ms. Easter questioned the restriction of living in the recreational vehicle on their property. Mr. Updyke said it is a septic issue.

Craig Redding, 195 Crouse Road, questioned who gave the Supervisors the right to tell them what they can do with their property. Mr. Updyke said that zoning was passed 20 years ago and these rules have been in effect since then.

Steve Wantz, 446 Harney Road, Mr. Wantz said "you [Ms. Smith] said there is no ordinance. That's why you started this. There is no zoning rule on tractor trailers." Ms. Smith said that it does not permit it. Mr. Wantz then quoted Section 110-124.A. and said that to me it sounds like its referring to a tractor trailer. He wants to know why this started. Ms. Smith said that it only references tractor trailers and no other commercial vehicles. It is also in the home occupation section. It only references tractor trailers and no other type of commercial vehicles such as a school bus.

Mr. Gormont said that the request that came in was for a school bus. It is being deemed as a commercial vehicle to address all commercial vehicles.

Mr. Trostle read County Comments into the record... "At no time shall a commercial vehicle be permitted to use the public road and public road right-of-way areas as maneuvering areas to enter or exit a residential property." The Board is trying to establish a way to get on to the lot, park it without interfering with the neighbors' ability to get in and out of their driveway, and give drivers a way to do that and do it safely. Mr. Trostle said we are trying to put this in place not to deny but to permit in a residential zone.

Ronnie Glass, 639 Basehoar Roth Road, questioned about Williams Trucking. Mr. Gormont said they are a commercial business in a residential zone. It is a non-conforming use which is grandfathered.

A question was if a recreational vehicle includes boats. Ms. Smith said that boats are not the subject of this ordinance. A boat is not included here.

Bob Rock, 1075 Harney Road, questioned the definition of a residential lot. Ms. Smith said that it is a lot that is used as a residence. He then questioned where the acre or less came from. Ms. Smith said that to be able to have the maneuvering area and you have a small lot then the proposal was that the vehicle be parked to the side or the rear and not in front of the house on a one acre lot.

Mr. Updyke moved, seconded by Mr. Clark, to close the public hearing. Motion carried unanimously.

**Adjournment:** Closed Public Hearing: 8:08 p.m.

Supervisors' Regular Meeting Reconvened at 8:10 p.m.

**Board Action:** Mr. Updyke moved, seconded by Mr. Clark, to table a decision and look at cleaning up some of the language items. Motion carried unanimously.

**Public Comment:** Harold Walker, 3170 Taneytown Road, spoke about a water issue. Several nights a week for the past one and a half months between approximately midnight and 4: a.m. their well pump has tripped due to the water level being below suction inlet of the pump causing the pump controller to shut off the pump for 35 minutes until it resets. This cycle continues until there is sufficient water in the well to raise the water level above the pump suction inlet.

**Approval of Minutes:**

- Supervisors' Regular Meeting Minutes, December 15, 2016. Mr. Clark moved, seconded by Mr. Trostle, to accept Minutes as presented. Motion carried unanimously.
- Supervisors' Organization Meeting Minutes, January 3, 2017: Mr. Trostle moved, seconded by Mr. Bowman, to approve the minutes as presented. Motion carried unanimously.
- Supervisors' Workshop Meeting Minutes, January 5, 2017: No January workshop meeting.

**Chairman's Comments:** None.

**Solicitor's Report:** Mr. Updyke moved, seconded by Mr. Bowman, to accept the Solicitor's report as presented. Motion carried unanimously.

**Persons Requesting Time on Agenda:** None.

**Announcements:** None.

**Treasurer's Reports:**

- Approval of Monthly Finance Report. Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.
- Approval of Bills Paid Report. Mr. Updyke moved, seconded by Mr. Trostle, to accept the report as presented. Motion carried unanimously.

**Road Report:** Mr. Clark moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

**Subdivision and Land Dev.:** None.

**Engineering Report:** Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.

**Zoning Officer/Code Enforcement Officer's Report:** Mr. Updyke moved, seconded by Mr. Trostle, to accept the report as presented. Motion carried unanimously.

**Building Inspections:**

- **Land and Sea Service Inspection Report:** Mr. Updyke moved, seconded by Mr. Clark, to accept the report as presented. Motion carried unanimously.
- **MDIA Inspection Report:** Mr. Clark moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

**Open Records Officer Report**

- Tara Kenneth – American Tax Reporting requesting outstanding code permit violations for 387 Deerfield, Dr., Mount Joy, PA – Denied
- 2016 Annual Open Record Officer Report: Mr. Updyke moved, seconded by Mr. Trostle to accept the 2016 Open Records Officer Report. Motion carried unanimously.

**Fire Company Reports:**

	<b>MJT Calls per month</b>	<b>YTD Calls in MJT</b>
1. Alpha Fire Company	2	26
2. Barlow Fire Company	4	36
3. Gettysburg Fire Co.	4	31
4. United Hook & Ladder No. 33-3	1	10

Mr. Updyke moved, seconded by Mr. Clark, to accept the report as presented. Motion carried unanimously

- 4<sup>th</sup> Quarter Financial Statements from Barlow, Gettysburg and United Hook & Ladder: Mr. Bowmen moved, seconded by Mr. Updyke, to accept the financial reports and approve the 4<sup>th</sup> quarter distribution payments to Barlow, Gettysburg and United Hook & Ladder fire companies. Motion carried unanimously.

**Correspondence:**

- Letter from Columbia Gas of Pennsylvania regarding emergencies
- Letter from Rabbitransit enclosing the 2015-16 Annual Report
- Email from Adams County Planning and Development regarding January 31, 2017 meeting discussing statewide preservation plan
- Letter dated January 10, 2017 from PennDOT regarding Rte. 97 resurfacing project from Mud College to White Rd.
- Letter dated January 11, 2017 from DEP approving land application of biosolids permit for White Run Regional Municipal Authority at Bruce Stair farm
- Letter dated January 11, 2017 from Barlow Fire Co. seeking contribution towards the purchase of a Utility Terrain Vehicle

**Committee Reports**

Personnel: (Trostle and Updyke) No report.

Finance: (Gormont and Updyke) No report.

Planning Commission: Mr. Bowman moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

Planning, Land Use & Zoning: (Bowman) No report.

Building & Grounds: (Clark) No report.

Roads: (Gormont): No report.

Public Safety: (Clark) No report.

**Business:**

- 2017 Public Haulers List: Mr. Bowman moved, seconded by Mr. Updyke, to approve the township septic haulers list. Motion carried unanimously.
- New Website – posting draft agenda: Mr. Gormont moved, seconded by Mr. Bowman to waive the right to disclose under the Right to Know Law to make the draft agenda publicly available in advance of the meetings. Motion carried unanimously.

Ms. Moyer also said the email has now been transferred from the old server that Terry maintained to our server in-house. This means there are new directions for accessing your email, The directions on how to do this were and distributed.

- Financial Security Reduction for Gettysburg Tours (Felty Investments, LP): Mr. Clark moved, seconded by Mr. Bowman, to approve the financial security reduction in the amount of \$47,533.20. Motion carried unanimously.
- Set Public Hearing date – Sheetz Liquor License: Mr. Bowman moved, seconded by Mr. Trostle, to set February 16, 2017 for the public hearing on Sheetz liquor license. Motion carried unanimously.
- Links Courtyards – As-built plan and Plan of action: Mr. Vranich said two items had to be submitted prior to this meeting. A plan had to be submitted for how they are going to remediate the existing stormwater basin to meet the requirements. That plan was submitted and reviewed with the engineer and they have demonstrated they can meet what they need to meet with some modifications to the basin. The other item was a schedule for the implementation of those improvements.

Mr. Klein presented the Board with a schedule of when both North and South Chamberlain are down to two lots remaining or June 1, 2018 whichever comes first.

Acceptance of the remedial action plan for the stormwater basin and inlets: Mr. Vranich said that at this point he is comfortable to accept the remedial action plan conditioned on all appropriate documents being submitted to the satisfaction of the Township Engineer. Mr. Bowman moved, seconded by Mr. Updyke, to accept the remedial action plan with the condition that all documentation is submitted and reviewed to the satisfaction of Mr. Vranich. Motion carried unanimously.

Acceptance of the schedule for implementation of those improvements: Mr. Trostle moved, seconded by Mr. Updyke, to accept the timeline for the implementation of the landscaping and accept the remedial action plan and final conversion of the sooner of the sale of two lots or June 1, 2018 with the HOA's approval of the June 1, 2018 date. Motion carried unanimously.

Mr. Gormont moved, seconded by Mr. Trostle, to grant a 30 day extension for the submission of a modified landscape plan from Mr. Klein and input from the HOA to the Township by March 2, 2017 to go before the Board at the March 16, 2017 meeting. Motion carried unanimously.

Ms. Smith questioned when is the final as-built plan submission date? Mr. Vranich questioned asking if she is referring to when all the new landscaping and basin work is done as final? Ms. Smith said a final set of as-built plans. Mr. Vranich's suggestion would be a final set of as-built plans submitted 30 days after that June 1, 2018 or the completion of all those improvements.

- Kim Little – Per Capita taxes collected and delinquent: The Board acknowledged receipt of per capita tax and delinquent tax reports for 2016.
- Zoning Ordinance: Ms. Smith distributed the draft of the revised zoning ordinance for them to review to begin discussion at the next meeting.

**Executive Session:** None

**Adjournment:** With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Bowman, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:38 p.m.

Submitted by,

Sheri L. Moyer  
Secretary