

**Mount Joy Township
Supervisors' Workshop Meeting
May 7, 2015**

Meeting Minutes

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

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, PA 17325.

Call to Order: John Gormont presiding.

Starting Time: 7:00 p.m.

PUBLIC HEARING

Call to Order: Public Hearing Meeting, duly advertised, opened at 7:00 p.m.
Chairman, John Gormont presiding.

The purpose of this Ordinance is to provide location, setbacks and other standards and requirements for hobby schools and trade schools.

Public Comments: None.

Ms. Smith stated we have a requirement to present the document before the Planning Commission and also the Adams County Planning Commission for review in advance of the Board's decision. Ms. Smith asked that the public hearing be continued until June 18, 2015 in order to allow the reviews. Mr. Updyke moved, seconded by Mr. Clark to continue the public hearing until June 18, 2015. Motion carried unanimously.

Adjournment: Closed Public Hearing: 7:03 p.m.

Supervisors' Regular Mtg. Reconvened at 7:03 p.m.

Public Comments: Arthur Linck, 698 Lee Drive, Gettysburg, Pennsylvania regarding the March 19th meeting minutes regarding the Board's determination that any communication by him to the Zoning Officer or the office staff should be ignored and that the information provided to the Board was incorrect. Mr. Linck stated that he spoke with Mr. Vranich because he felt Mr. Vranich stated things that were not true regarding calls to his office. Mr. Linck stated he checked his records and stated he never called their office and talked to anybody. Mr. Linck stated he requested Mr. Vranich, by letter dated May 5th to check his records and retract his statement. Mr. Linck asked if the Board was going to discuss this. Mr. Gormont stated that he believed that Mr. Linck has spoken with a lot of different people and that he has been given guidance on what needs to be done and he chose to ignore that because he has not completed what he was instructed to do. Mr. Gormont said you are speaking about a zoning issue which has to go through the Zoning Officer and that he has to apply to the Zoning Officer. Mr. Gormont went on to state that he needs to seek counsel/guidance to apply for a Zoning

Permit. Mr. Linck stated that a zoning permit is not necessary for a Declaration of Nonconforming Use. Ms. Smith stated there is no nonconforming condition of the property so there is nothing to declare under that section. That section applies if someone has a nonconforming lot, a nonconforming building or a nonconforming use and none of those conditions are in existence on this property so there is no opportunity for a declaration because there is no nonconformity. At this point, Mr. Linck has asked to make use of the property and the process to do so is to submit a zoning permit application. Mr. Linck indicated that Ms. Smith's statement was new to him and if they cannot talk about it how this issue can be resolved. Mr. Linck went on to say the minutes are negative and critical of himself and are all wrong and he would like it straightened out. Mr. Clark suggested that he put in writing what his concerns are with regard to the minutes. The Board can compare it to what is in the minutes and if there is a mistake then the Board can correct it.

Ms. Smith, noted for the record, that Mr. Linck did send a letter dated May 5, 2015 to Mr. Vranich regarding the minutes. In that letter, Mr. Linck indicated he had no record of calling Mr. Vranich or conferring with his office regarding that matter. Mr. Vranich indicated that in the weeks preceding the Board's March Supervisors meeting, Mr. Re received at least two voice mail messages from Mr. Linck along with phone conversations with him and in-person visits to the office. The combined number of visits, voice mail, and phone conversations averaged at least one per week for those proceeding weeks.

Mr. Bowman questioned Mr. Linck asking why he refuses to submit the application. Mr. Linck stated the requirement in the application letter of Mr. Blakeslee is that you must do a site plan showing you meet all the requirements for parking, loading, buffer zones with a sign being optional. The problem is if they will not discuss whether the property is nonconforming, why would he do all that engineering and site plan. Ms. Smith said that the property is not nonconforming and the Township has conveyed that to him continually. Mr. Linck stated that that has never been put in writing to him. Mr. Gormont told Mr. Linck to put something in writing to the Board.

Business:

- Acknowledged Alpha Fire Co. #1 first quarter profit & loss statement: The Board acknowledged receipt of Alpha Fire Co.'s first quarter profit & loss statement.
- Acknowledged Bonneauville Fire Co. first quarter profit & loss statement: The Board acknowledged receipt of Bonneauville Fire Co.'s first quarter profit & loss statement.

Mr. Gormont stated the Township has now received profit & loss statements from all four fire companies and would like to proceed with the first quarter distribution. Mr. Updyke moved, seconded by Mr. Bowman to disburse the first quarter payments to the fire companies. Motion carried unanimously.

- Adams Associates – decision discussion: Ms. Smith stated for this discussion they will need to go into executive session. The Court has issued a decision on the citation that was filed with Magistrate Judge who determined the property was out of compliance. The owner took an appeal to the Court of Common Pleas. At this point the District Attorney took the case before the Court who concluded that there was a violation. The property owner took the matter up to the Commonwealth Court who has concluded to the contrary.

Executive Session: Start: 7:19 p.m.

Topic(s): Adams Associates decision and the Ramsburg Acre matter

Meeting Reconvened: 7:35 p.m.

Mr. Bowman moved, seconded by Mr. Gormont for the Board to delay any action on the Adams Associates decision. Motion carried unanimously.

- Yingling Subdivision - Financial Security: Ms. Smith stated that at last month's meeting the Board approved the subdivision plan with two conditions, one being the posting of financial security for a sidewalk. The reason was to leave the sidewalk development until one of the lots is developed through a land development plan. Before the Board is Mr. Vranich's letter dated May 4, 2015 indicating that he has reviewed the cost estimate for the construction of the sidewalk. He concurs with the cost estimate that was proposed and believes that the value of \$21,000.00 is the appropriate financial security to be taken on this property. Mr. Yingling's counsel is prepared to deliver a check to the Township on Monday in order to obtain the signed subdivision plans for recording. That \$21,000.00 would be placed in a non-interest bearing escrow account with one of the Township's financial agencies until such time as the sidewalk is constructed or relief to the sidewalk requirement is obtained. If the construction of the sidewalk does not get completed the Township will use that money to construct the sidewalk.

The second condition is a cross access easement which Ms. Smith indicated she reviewed/revised a draft agreement and is waiting for a final copy to review prior to closing on Monday. A fully executed signed easement agreement should be delivered to the Township along with the financial security prior to release of the approved plans.

- Zoning Ordinance – draft parking article discussion: Ms. Smith provided a brief overview of the draft of the Off-Street Parking and Loading article which includes everything but the actual number of spaces anybody is required to have. It begins with the concept that if anyone changes a use or does anything different on the property they need to meet the current requirements of the parking and loading ordinance for the number of spaces. Those numbers, by use, will be provided separately. It also provides an opportunity when computing spaces, by Conditional Use the Board of Supervisors, may reduce the number required. The applicant must provide analysis and appropriate studies that show for at least a 5 year period they would not need the required number of spaces. It provides that one parking lot may be used for more than one use. There is a whole series of grandfathered conditions that are very specific. It talks about persons with disabilities and that parking must meet the requirements under current law. It refers to prohibited uses such as, conducting business in a parking lot, car repair, placement of storage containers and pallets all are listed within the document. Section 2 is the General Regulations for Off-Street Parking and Loading. This states that loading and unloading shall be laid out so as not to create conflict with pedestrians or other vehicles. Section 3. Design Standards for Off-Street Parking and Loading. The appropriate size of parking spaces, handicapped spaces, isle width, and access drives widths, size, configuration and location of loading spaces and finally there is a provision for lighting in the parking lot. It calls for low lighting and only as necessary. If it is a parking lot that is unused at night the lights are to be off. Landscaping will be

cross referenced and will be referred to in another article. The Board agreed to pass it off to the Planning Commission for their review and comments.

Mr. Gormont had a couple of items to talk about. He attended a meeting that Tyron Township conducted at the County EMS building regarding salt brine. Trying to ascertain what the interest was and desire to use salt brine on the roads. Tom Bear presented the information. Mr. Gormont stated that he believes the Township could save money by installing a brine system to pretreat the roads prior to storms. The presentation materials stated that by utilizing the salt brine you would reduce salt consumption by 1/3. Salt itself is not cheap. The other aspect is that the road crew pretreats the roads prior to the storm which can save on overtime hours in calling the crew in during the nighttime hours. Mr. Gormont said that to install the system would cost about \$15,000.00. The crew could use the F550 truck with a 750 gallon tank to spread the brine on the roads. Mr. Gormont said there was also the possibility that neighboring Townships might like to share the cost for the brine mix which could help them out as well. Liquid fuels would cover the cost of this. Mr. Gormont indicated that he will provide more information as he explores this in more detail.

Mr. Gormont stated that Mr. Shank, Roadmaster, told him the trailer that is used to transport equipment is not in good shape. The equipment is too heavy for the trailer. Mr. Gormont stated the Township is looking into possibly purchasing a used trailer that can handle the weight of the equipment.

Mr. Gormont went on to say that the Township is looking into renting a path paver for some of the road work since there are some large areas that need to be repaired. He has asked Mr. Shank to put together a timeline so we know how long we may need to rent the equipment. Mr. Gormont said that once we have more detail on that he will advise the Board.

Correspondence: None

Adjournment: With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Clark, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 7:59 p.m.

Respectfully Submitted,

Sheri L. Moyer
Secretary