

July 15, 1999

The Mt. Joy Township Board of Supervisors held a public hearing relative to the Agricultural Security Area at 7 PM on Thursday, July 15, 1999 in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All members (Dayhoff, Waybright and Beebe) were present as well as Township Secretary Bonnie L. Koontz.

Additions to the Ag Secure Area as well as properties undergoing the seven-year review were advertised in the newspaper this week; approximately 430 acres are being added.

No public comments were offered.

Corrections were read by Dayhoff. A piece of land sold by John Kresky was added to the Damon Braughler property.

Motion to close the hearing by Waybright, 2nd by Beebe, carried unanimously.

Hearing adjourned at 7:06 PM.

Respectfully submitted,

Bonnie L. Koontz
Secretary

July 15, 1999

The Mt. Joy Township Board of Supervisors held its regular monthly meeting at 7:30 PM on Thursday, July 15, 1999 in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All members, Dayhoff, Waybright and Beebe, as well as Township Solicitor Walton V. Davis and Township Secretary Bonnie L. Koontz were present.

The minutes of the last regular meeting, June 17, 1999, were approved by motion of Beebe, 2nd by Waybright, carried unanimously.

Public Comments:

Bill Henderson, 991 Heritage Drive - Says the saga continues, the workshop has come and gone and the Township intends to push eminent domain through. It has come to his attention that the population at the time of the 1990 census was 2880; the voter turnout was

40-45%. He feels the Lake residents would pay for most of the funds needed to take Heritage Drive. They were told Boyle would fund the taking. He only hears from those who want it to go away; is there a silent majority? Why do the Supervisors push for something the majority don't want? One's (supervisor's) term is nearly over; the others face reelection, political suicide. He wonders if the Supervisors have considered things like carbon monoxide, water, etc. and feels they have lost their focus. He is concerned about viewing the night sky; it can't be seen in the city and won't be seen here with additional lights. The Lake doesn't want to be a stumbling block, but wants what is good and right for the community. He is concerned with how to increase the water supply. Says the consensus is to stop the nightmare now.

Ralph Taylor, 84 Meade Drive - Says Mt. Joy Township has made clear its intention to seize Heritage Drive. He questioned who will pay for the improvements once the developer is gone. Noted that Heritage Drive is closed February - May to heavy trucks; it is not designed for year-round heavy commercial traffic. If the scenario plays out, Mt. Joy should budget half a million dollars for the 2000 road budget. He has looked into the minute books and found that in 1993 it required \$204,000 to add the turning lanes; 58,000 of which was engineering fees. Is concerned with how the Township could collect from a developer who has run out of money. (Copy of Mr. Taylor's comments submitted for Township files)

Mary Taylor - She just has to ask when the conditions were set for the Boyle project, what was the reasoning - premeditated thought - when deciding to take Heritage Drive. She wants an answer now. (The Supervisors declined to answer.) Were they under a Yingling threat? (No answer) She says she has proof that shenanigans have been going on. The OK for the entrance for Yingling was wrongly done; it is too close to Heritage Drive and Rt. 15.

Dayhoff responded that the State approved that (driveway), not the Township. She is angry; premeditated thought on the Boyle conditions to take the Lake road. Boyle does not need the Lake road for his project; why does the Township want it? Beebe responded that the Board was trying to take care of all the problems there, existing and future. He can speak only for himself, there were no ulterior motives. The traffic situation there will get worse whether Boyle comes or not. Ms. Taylor replied that the state police have records of accidents. She has heard reference of someone being 'tired of picking up dead bodies'; however, the accidents have not been caused by Lake traffic.

Lyman Schwartz - Inquired where the Township is with Long Road (vacation of) and was answered that the Township is waiting on a survey from Danner; haven't heard anything from him recently. Schwartz further inquired if there were any objections to closing the road and Dayhoff said that he doesn't believe there are any.

Eileen Holmes - Said that (Tim) Redding came down and got questions answered during the public comment period. She feels if one person is answered, all persons should be answered. She also feels that when someone is up speaking, the Supervisors should pay attention.

Jack McLatchy, Mud College Road - Says the Supervisors are taking a beating and have been called everything but 'crook'. There is talk around that the Supervisors are selling us out. All ran and were voted for. He would like to know, after sitting there week after week, how can we have faith in the Supervisors. He would like them to show him some credibility.

He inquired if they are bound by their decision, can they still reject? He would like to have his faith restored in their credibility. He questioned why Updyke Road is being cleared off; why put something in there now? Beebe replied that the roads come up in a cycle; what's being done has nothing to do with what's coming or what's been there. He has read a letter from the developer that he is willing to help pay for the road. As for his (Beebe's) credibility, bring him something concrete or shut up about it. He does not know of anything that the Board has done improperly. Dayhoff invited anyone to come to him, one on one, and he will address it. Beebe continued that as far as the conditions being set, they are pretty much set in concrete.

Gwen Updyke - In regard to the Deer Chase plan, she feels the plan needs modifications, such as larger lots. The present farmstead should be kept in tact. The developer should widen the roads and make sidewalks. There should be a well delineation study, a traffic study and a pond should be built for run-off. There should also be an interior road. She urged the Board to consider the Township engineer's and Adams County Planning's comments.

Ralph Taylor - In regard to someone coming in and putting pressure on because Yingling's came in, 'don't look at the Township, that was the State', the Township approves the sale and development of a piece of land to a developer. Don't be so naïve as to think he (the developer) won't find a way to get into it. Beebe commented that the State issued a 750 car/day permit to Yingling and the Township Zoning Hearing Board held hearings night after night. Dayhoff added that the Zoning Hearing Board makes changes in uses, not the Supervisors. The State issues driveway permits.

Barbara Steele - In regard to the Ramage development (Deer Chase), the developer is putting a hardship on the Updyke family who farm there. Most developments have a name, an interior road and planning. This one has 'cookie-cutter planning' to get 180'. The developer should pay to widen the road.

Harry Ramage - He has expressed to the Board willingness to help upgrade the road. He is aware of widespread local opposition. He would be willing to consider lower density, but has not discussed with the Board. However, the more expense is put into the plan, the more they are committed to 25 lots. He would be willing to put the development on hold and come more in order with what residents want. He would like to be on the agenda for the next Supervisor's meeting. Lower density is being considered, an alternative will be proposed.

Lou Hilliard, Adams County Transportation Task Force - There are a lot of problems outside of Mt. Joy Township and Adams County. PennDot is conducting a study in the near future. As a result of that study, all are invited to a meeting 8/25/99 at 7 PM for discussion of outside influences and the effect on Adams County. There are truck terminals in Carlisle; one under construction is 50 acres, with 170 loading docks per side x 4. This will affect Adams County, as it is a jumping off point for Maine to Florida trucks. Regarding Routes 97 and 234 (Biglerville people don't want trucks coming through), traffic takes the path of least resistance. Regarding Adams County versus the area around and a twelve-year hearing, the results being given in March, there are eight counties in region 8. A twelve year plan shows Adams County receiving one and one-half million dollars, the others up to 300 million dollars. Adams County is being short-changed. There was a study done in '91; nothing happened. Everyone spoke individually against the plan. Adams County should get its act together or there will be no money for Adams County. Everyone should come together and get what's due. Beebe asked if this meant that his dump truck tags were raised by 50% and then the money given to Lancaster County and was answered 'Yes'. Dayhoff will try to attend the August 25th meeting.

The Treasurer's Report was approved by motion of Beebe, 2nd by Waybright, carried unanimously.

The Bills to be Paid for June and July, to date, were approved by motion of Waybright, 2nd by Beebe, carried unanimously.

Subdivision/Land Development Plans

Keith Miller - Land Development Plan; was recommended for approval by Mt. Joy Township Planning Commission. Motion to approve by Dayhoff, 2nd by Beebe, carried unanimously.

Violet Schwartz - Final plan. County comments have been received, recommended for approval by the Planning Commission. Dayhoff inquired if the pole building was going with the rest of the land and was answered 'Yes'. Motion for approval by Dayhoff, 2nd by Waybright, carried unanimously.

Phil Plotica - Final plan; have County, engineer and DEP comments. Motion by Dayhoff to approve, 2nd by Beebe, carried unanimously.

Veronica Franek - Modules; motion to send to DEP by Beebe, 2nd by Waybright, carried unanimously.

Road Report:

The road report was read by Road Superintendent Bill Miller.

Building Permits Report:

The list of building permits issued since last month's meeting was read by Sam Dayhoff.

Correspondence:

- A flyer was received from the Land Conservancy of Adams County announcing a day trip to be taken August 7, 1999.
- A letter was received from Attorney James Yingst inquiring about new traffic information in connection with the Boyle project.
- A letter was received from Adams County Economic and Development Corporation soliciting funding. Motion by Beebe to give \$100 again as was done last year, 2nd by Dayhoff, carried unanimously.
- A letter was received (via fax) from Chief Maring of the Barlow Fire Company recommending that a burning ban be put in effect for Mt. Joy Township. Following discussion, motion by Waybright to enact by resolution an open burning ban with proper notification and advertisement.

Announcements:

There will be a meeting by the Mt. Joy Township Zoning Hearing Board on Wednesday, August 4, 1999 at 7:30 PM to consider the special exception application of Yingling Implement.

Old Business:

Moratorium - A draft of a proposed moratorium ordinance was received recommended by the Mt. Joy Planning Commission which has been working with Attorney Davis regarding this. Beebe said that according to Adams County Planning and most other sources, this is a sticky area to get into. He doesn't like the idea of saying to one person, 'you can', but to another, 'you can't'. He feels there would be more grief than good with a moratorium. Waybright added that having a moratorium sounds easier than it is. Mt. Joy has a zoning ordinance and SALDO in place; a moratorium could get into the rights of landowners. Discussion died due to lack of a motion.

New Business:

Gettysburg Times Article - Dayhoff couldn't believe what he read; thought he was still asleep. (regarding an erroneous article about the Ag Security hearing) He called B. J. Small, the editor. Waybright said the zoning officer also called and was told that they (the Times) got the information from a fax. The Township office and not been contacted and did not send anything.

Traffic problem at end of Hoffman Home Road/PA 97 - Beebe says that this is a lethal traffic situation. Mikesell, directly across the road, holds yard sales frequently; it is a business for them this year. Beebe said he almost ran over a lady and he was in his dump

truck; how could a driver in a car see? In order to get NO PARKING signs for the area between Hoffman Home Road and Barlow-Two Taverns Road, south side only, a hearing must be held. Attorney Davis said he would like Bill (Miller) to go out and find an identifiable area which could be described in an ordinance and sent to PennDot. Beebe suggested the area between the two roads, that is, Hoffman Home and Barlow-Two Taverns. There was discussion on whether all intersections on PA 97 and PA 134 should be done. Bill Miller was instructed to research PennDot regulations. Motion by Dayhoff, 2nd by

Beebe to have Attorney Davis draft ordinances for no parking at intersections on 97 and 134, carried unanimously.

Harold R. Beebe - Announced that this will be his last meeting, as he will be out of the Township before the next meeting. He would have like to have stayed to see the Boyle thing through, but must live in the Township to be a Supervisor. Motion by Dayhoff to accept Beebe's resignation, 2nd by Waybright, carried unanimously.

The Supervisors and Attorney Davis went into an executive session at 9:04. The meeting was recalled to order at 9:25. Davis said that in the executive session discussion included what options were/weren't possible with regard to a particular planning module, what actions could be taken and the status of litigations regarding Heritage Drive.

Motion for adjournment by Beebe at 9:26 PM, 2nd by Waybright, carried unanimously.

Respectfully submitted,

Bonnie L. Koontz
Secretary