

## **JUNE 15, 2006 SUPERVISORS' MEETING:**

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:30 p.m. in the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, Pennsylvania, with Board Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Samuel Dayhoff, and Harold Kirschner; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; Eric Mains of KPI; Jesse Hubbard, Office Assistant; News Reporters Aaron Young (*The Gettysburg Times*); and Meg Bernhardt (*The Evening Sun*); and Brenda Constable, Secretary.

Citizens in attendance were: Joe Erb representing Fairview Farms; Tom Newhart; Audrey Sanders; Steve Kelley; Jim Boyd; Larry Steinour; Barbara Coddington; Chad Yingling; John McAlister; Eileen T. Holmes; Jim Pruitt; Jerry Maloney; Dave Updyke representing The Watchdog Group; Steve Loss representing Fairview Farms; Bob Sharrah representing The Links at Gettysburg; Jack McLatchy; Sonny Sneeringer; Ken & Rose Wenger; Rick Klein representing The Links.

Board Chairman Waybright led everyone with the Pledge to the Flag.

### **Minutes:**

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the May 18, 2006 minutes as presented. Motion carried unanimously.

### **Chairman's Statement:**

Chairman Waybright commented with regard to the recent "Letter to the Editor" that the Supervisors placed in the newspaper addressing TDRs. He welcomed anyone to come in and speak one-on-one with representatives of the Township to explain the TDR program as needed.

### **Public Comment:**

1. Eileen Holmes: asked the Supervisors to consider purchasing a book and CD of the John Geiselman collection for the Township's archives, and asked why the Township did not purchase the archives in the building. She also questioned who wrote the Letter to the Editor relative to TDRs; noted a problem with signs being stolen; and traffic light problems at the Outlets.
2. Audrey Sanders: noted that the Geiselman book is no longer available but the DVD is. She stated that no one from the Township approached her about keeping the collection. Mr. Dayhoff responded that he had mentioned to her or her husband in passing, that the Township would be interested in keeping the collection.

### **Certificate Presentation:**

Ellie Bennett, Chairperson of the Mud College Schoolhouse Committee, and Chairman Jim Waybright, presented a Certificate of Appreciation to Dee Dillman for her dedication and work on establishing the Living History Program at the Mud College Schoolhouse. Dee will be moving out of the area and will no longer be available to serve on the committee or act as a docent (teacher) for the Program.

### **Long Road:**

Mr. Chad Yingling presented two petitions to the Board of Supervisors: 1) to abandon and close the unimproved portion of Long Road; and, 2) to abandon and close the unimproved section of Long Road at

the cul-de-sac at the end of the hard surface. Mr. Dayhoff moved, seconded by Mr. Chantelau, to authorize Mr. Davis to proceed with the necessary documents to abandon and close a portion of Long Road. Motion carried unanimously.

### **Announcements:**

Ms. Constable noted the following:

- Shipley Stores, Inc. is applying for an E&S permit from DEP for a project to remove the existing convenience store, clear the land, and construct a proposed convenience store with fuel islands and a proposed bank.
- Noted a vacancy on the Recreation Board, term ending December 31, 2010.
- Introduced Jesse Hubbard, new Office Assistant

### **Treasurer's Report:**

Mr. Chantelau moved, seconded by Mr. Scott, to approve the Treasurer's Report for the month of May and part of June as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the bills to be paid for the month of May and part of June as presented. Motion carried unanimously.

### **Subdivision/Land Development Plans:**

1. Steinour, Donald: request from Larry Steinour, on behalf of Donald Steinour, to re-approve a final subdivision plan that was approved in November 1996, so that the subdivision could be recorded in the County Recorder of Deeds. The property is located at 1650 Highland Avenue Road. Ms. Constable noted that the subdivision plan still concurs with the current zoning in that area. Mr. Chantelau moved, seconded by Mr. Dayhoff, to re-approve the final subdivision plan, noting that it is not subject to the recreation and traffic fees. Discussion: Mr. Dayhoff asked if the large garage on the property was used for a commercial business. Mr. Steinour responded that it was just a hobby. Mr. Davis questioned if the subdivision was already done. Mr. Steinour responded that it was done years ago, it was just never recorded. With no further discussion, the motion carried unanimously.
2. Cianci, Joe & Maria: proposed land development plan for a 2,400 sq. ft. pole building at 853 Solomon Road. Mr. Steve Loss of Loss-Stair Engineering, representing the Ciancis, was present to review this plan. He noted that the applicant is requesting a waiver of a full land development plan. It was noted that the Planning Commission recommends denial of a waiver and recommends a modified land development plan. Mr. Mains gave an overview of runoff issues related to impervious areas, and at a minimum, the following items should be addressed: 1) analysis and adjustment of the driveway location as necessary to ensure that adequate horizontal isolation distance can be maintained for the replacement A/B soil system; 2) a grading concept should be prepared outlining how upslope stormwater runoff can be diverted around the proposed building pad and septic system; 3) an analysis and design of the driveway culvert should be provided to justify that an adequately sized culvert can be provided which will not create a headwater condition that encroaches upon or compromises the septic system (including its replacement area); 4) an analysis should be provided to indicate the amount of increase in stormwater runoff that will result with the development of this site (as shown). It may be necessary to include the design of water quality or quantity type management facilities; 5) basic erosion control measures should be provided given the proximity of the site to the drainage way that bisects the lot. In addition, a calculation of total disturbed area should be provided to ensure that NPDES stormwater criteria is adhered to where applicable; 6) sight distance should be field measured for the

proposed driveway location. This should include an approach slope for both directions to permit a calculation of required distance. Mr. Dayhoff moved, seconded by Mr. Scott, to deny the waiver request and accept a modified land development plan meeting all requirements as set forth by KPI. Motion carried unanimously.

3. Fairview Farms-Barton Breighner: proposed 14-lot subdivision on Hickory Road. Mr. Steve Loss was present, representing Mr. Breighner. Mr. Loss requested a 60-day extension for the preliminary review process. Mr. Mains explained that DEP had returned the sewage facilities module for a number of reasons, one of which was some problems with trying to get a perk for Lot 4. Mr. Breighner had suggested removing Lot 4 to meet septic system requirements and enlarging Lots 3 and 5, but they did not want to start over with a new plan submission process. Mr. Loss noted that the proposed spray irrigation system would have to be expanded so instead, they are proposing to go to an AB system. They would keep Lot 4 and use it just for open space.

**Executive Session:** Mr. Dayhoff requested that an Executive Session be held at this time. Mr. Waybright recessed the meeting at 8:05 p.m. for an Executive Session.

**Meeting Reconvened:** Mr. Waybright reconvened the Meeting at 8:15 p.m. this date with all members and citizens as listed above attending. Mr. Davis explained that the recess was not a formal executive session but an attorney/client session for legal advice with regard to the extension request.

Mr. Scott moved, seconded by Mr. Kirschner, to grant a 62-day extension but instructed Mr. Loss that this plan needs to be wrapped up and all pieces need to come together by the deadline. Motion carried unanimously. Mr. Joe Erb, attorney for Mr. Breighner, thanked the Board of Supervisors for the extension request.

4. Wenger, Kenneth & Rose: proposed 2-lot subdivision at 470 Orphanage Road. It was noted that the Planning Commission recommends approval as a preliminary/final with contingencies, and approval of the Sewage Facilities Planning Module. Mr. Ken Wenger was present to review the plan. Discussion was held with regard to KPI option (comment #8). It was decided to leave the plan as presented. Mr. Dayhoff moved, seconded by Mr. Scott, to approve as a preliminary/final plan contingent on satisfying KPI comments dated June 5, 2006. Motion carried unanimously. Mr. Scott moved, seconded by Mr. Chantelau, to approve the Sewage Facilities Planning Module as presented. Motion carried unanimously.
5. Boyd, James & Nancy: proposed 2-lot subdivision at 470 Orphanage Road. Planning Commission recommends approval as a preliminary/final plan with contingencies. Mr. Boyd was present to review the plan. Mr. Dayhoff moved, seconded by Mr. Scott, to approve as a preliminary/final plan contingent on satisfying KPI comments dated June 5, 2006. Motion carried unanimously. It was noted that the Sewage Facilities Planning Module has not yet been submitted. A spray irrigation system is being proposed so a written agreement with the Township for the maintenance of the system would be needed prior to signing the plan.
6. Links At Gettysburg-Garrison Falls Phase IIA Revised Final: revised final plan to reflect 8 additional lots to Phase IIA. Planning Commission recommends approval with contingencies. Mr. Mains requested explanations for the modifications. Mr. Bob Sharrah noted that the modification explanations were listed on title page of the original final plan and would provide this information to Mr. Mains, as well as an updated page 1 for the revised final plan. It was also noted that public bond estimates needed to be determined. Mr. Sharrah noted that Mr. Klein met with the fire companies with regard to their concerns for safety issues. A booklet outlining each community within The Links, showing all

streets, addresses, fire hydrant locations, etc. were given to the fire companies as well as the Township and will be updated as new communities are added to the development. Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve the Revised Final Plan contingent on satisfying KPI comments dated May 11, 2006. Motion carried unanimously.

Discussion was held with regard to financial security amount for work to be done. Mr. Klein asked if the Supervisors would accept a Letter of Credit in the amount of \$40,000. He added that the project would be done in approximately three weeks and 70% of the work is already done. Curbs and brick pavers need secured and it would be about 5 to 9 months needed for bonding. Upon the recommendation of Mr. Davis, Mr. Dayhoff moved, seconded by Mr. Kirschner, to authorize the Chairman and Secretary to sign a Letter of Credit when it is submitted to the Township within the next few days. Motion carried unanimously.

**Financial Security Reduction Requests:** Upon a request for financial security reductions for Phase IB, IIA, and IIB, Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve the release of financial securities for each Phase contingent on KPI's approval. Motion carried unanimously.

7. **Knisely, Steve:** proposed land development plan for buildings on property located on Hickory Road. Mr. Knisely is requesting a 60-day extension to October 10, 2006. Planning Commission recommends approval of the extension. Mr. Dayhoff moved, seconded by Mr. Scott, to grant the 60-day extension to October 10, 2006. Motion carried unanimously.

#### **Road Report:**

Mr. Scott moved, seconded by Mr. Kirschner, to approve the Road Report as presented. Motion carried unanimously.

#### **Zoning Officer Report:**

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the Zoning Officer's Report as presented. Motion carried unanimously.

#### **Building & Grounds Report:**

Mr. Chantelau moved, seconded by Mr. Kirschner, to accept the Building & Grounds Report as presented. Motion carried unanimously.

#### **Correspondence:**

Ms. Constable noted receiving the following correspondence:

- WRRMA minutes from April
- Letter form Adams County EMS informing what the County is doing to educate and inform the public about pandemic influenza
- DEP comments relative to WRRMA Planning Module for new land
- County Planning & Development notice of PennDOT Bicycle and Pedestrian Transportation Planning and Design Training
- YMCA thank you letter for support
- Letter from Steve Alexander requesting a zoning correction; letter from John & JoAnn Auchey asking for help in understanding zoning; and a letter of complaint from Donald and Barbara Coddington regarding the use of "Jake brakes" on Baltimore Pike.

Supervisors instructed the members of the safety committee to contact the PA State Police the check on how they enforce this, and give comment next month.

### **Committee Reports:**

Personnel: Mr. Chantelau moved, seconded by Mr. Scott, to appoint Jesse Hubbard as the Assistant Secretary to the Recreation Board. Motion carried unanimously.

Finance: Mr. Chantelau moved, seconded by Mr. Scott, to authorize Jesse Hubbard to attend GIS training at \$400. Motion carried unanimously.

Planning, Land Use & Zoning: Mr. Scott and Mr. Chantelau noted that they are still reviewing the criteria for zoning change requests received from residents and will try to have something next month.

Building & Grounds: Nothing to report

Roads: Nothing to report

Public Safety: Nothing to report

Agricultural Land Preservation: Noted receiving the monthly report.

Recreation Board: Noted receiving the monthly report.

Mr. Scott moved, seconded by Mr. Chantelau, to accept the resignation of Sam Dayhoff as Board member, effective May 25, 2006. Motion carried with Mr. Dayhoff abstaining.

With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Chantelau, to appoint Mr. Dayhoff as the liaison between the Rec Board and the Supervisors. Motion carried with Mr. Dayhoff recusing himself.

With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Chantelau, to authorize Robin Crushong, Rec Board Secretary, to attend a grant application workshop. Motion carried unanimously.

With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Chantelau, to authorize Robin Crushong to prepare a power point presentation on behalf of the Rec Board for future public presentation. Motion carried unanimously.

A draft map of a proposed hike/bike/jogging trail was presented to the Supervisors for review. Mr. Steve Kelley asked who would be responsible for liability. Mr. Davis responded that the property owners would not be responsible. Mr. Mains explained how important it is to have a master plan at this time, and that other options would be considered. Sonny Sneeringer asked if the developer gets a refund if the trail goes through his/her development. Supervisors responded no. He also asked about areas that are hunted. Mr. Dayhoff responded that those areas could be closed during hunting season, as one option. Audrey Sanders asked if the Township wanted the recreation or if the developers wanted it. Mr. Dayhoff responded that the developer would prefer not to pay for the recreation. He added that the request for recreation trail was from the committee, not the developers. Mrs. Sanders suggested that another survey be sent out to the residents. Mr. Scott explained what the recreation fees could be used for. Further discussion from the citizens as to what should be done or issues of concern with a recreation trail. Mr. Roger Steele noted that the Township is in a flux of growth

and a vision is needed to construct a recreation facility; suggestions are needed because everyone needs to look to the future.

Act 209 Traffic Impact Advisory Committee: Noting receiving the month report.

**Other Business:**

As a follow up from last month's discussion regarding the submission of documents to the Supervisors for consideration at their monthly meeting, Mr. Chantelau moved, seconded by Mr. Scott, to adopt the following policy:

**POLICY STATEMENT**

The Mount Joy Township Board of Supervisors, in order to prepare for Township meetings establishes the following policy concerning the submission of documents for monthly supervisor's meetings:

All documents submitted for the consideration, by the Board of Supervisors, during the monthly Mount Joy Township Board of Supervisors' meeting, shall be submitted to the Township Secretary not later than close of business the Thursday preceding the date of the meeting.

Adopted this 15<sup>th</sup> day of June, 2006.

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Discussion of some exceptions, i.e. some months Planning Commission meets on Wednesday and then the Supervisors meet Thursday of the same week. Mr. Mains also suggested sending the policy out to engineering firms and surveyors that normally do work in the Township.

Motion carried unanimously.

**New Business:**

1. Junkyard Certificates: Mr. Scott moved, seconded by Mr. Chantelau, to approve the 2006-2007 Junkyard Certificates. Motion carried unanimously.
2. PEMA FY'06 NIMS Certification: Request from PEMA to certify and adopt a resolution stating that the Township has participated in the NIMS training. Mr. Chantelau moved, seconded by Mr. Kirschner, to adopt the resolution and certify to PEMA after the training has been completed. Motion carried unanimously.

**Adjournment:**

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 9:35 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable  
Secretary