

August 19, 1999

The Mt. Joy Township Board of Supervisors held its regular monthly meeting at 7:30 PM on Thursday, August 19, 1999 in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All members, Dayhoff, Waybright and Scott were present as well as Township Solicitor Walton V. Davis and Township Secretary Bonnie L. Koontz.

The minutes of the Ag Security Area hearing held July 15, 1999 were approved by motion of Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

The minutes of the last regular meeting, July 15, 1999 were approved by motion of Dayhoff, 2<sup>nd</sup> by Waybright, carried unanimously.

The minutes of the special meeting held July 22, 1999 were approved by motion of Waybright, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Chairman's Statement:

Dayhoff stated that on August 3, 1999 the Supervisors met with "Bud" Yingling to work out a compromise; a junk yard permit was offered, he (Yingling) has until November of 2000 to meet all regulations. Between now and then there are several steps with deadlines; if he fails to meet any one of them the zoning hearing will be continued, advertised and held.

Prior to the meeting with Yingling, on August 2, 1999, there was a meeting with the Township solicitor, a concerned citizen, the zoning officer and Jim Waybright. There was also a meeting on Long Road with Mark Lewis, Bill Miller and Sam Dayhoff. Yesterday afternoon, August 18, 1999 Dayhoff, Waybright, and Lewis met with Representative Steve Maitland and his assistant to discuss road issues relative to Heritage Drive. Since there have been concerns in the past about "secret" meetings, all will be announced.

Public Comments:

Jerry Maloney - Doesn't understand how one can be offered a change of one non-conforming use to another non-conforming use.

Harry Ramage - Waived his opportunity to speak until his plans come up on the agenda.

Ralph Taylor - Feels Mt. Joy Township has a Jekyll and Hyde personality; contrasted development issues on east and west sides of Township. (Complete copy of comments received the next day for Township files. )

Kitty Frederick - 217 Mud College Road. She lives near the proposed Deer Chase Development and asks that it be turned down. She said the developer has not shown a way to make it better for the community, but throws down last minute plans and makes

demands of the Planning Commission. She further said that the developer has shown no interest in road safety of for the safety of the people who will live there.

Eileen Holmes- Asked when the sewer study was received and was answered late in June.

Jack Mclatchy - Presented a petition against the Deer Chase proposed development.

Karen Saltzgeber - 41 Robin Circle. Expressed concerns regarding the increase in population of a rural residential area.

Cecilia Dunchack - 450 Mud College Road. Expressed concern about wells. Said we are currently dealing with a hundred year drought; how can 25 wells so tight be drilled? Also as far as she knows, Mt. Joy Township is not enrolled in a Federal Flood Insurance Program.

Barbara Steele - 456 Mud College Road. Says she is downstream from the proposed development, which she feels is poorly designed. She presented photographs to illustrate concerns.

David Updyke - 361 Updyke Road. Said the Township spent money to resurface the roads. Traffic will go up 125%; feels the developer should pay for road improvements. He would like to see it (the farm proposed for development) preserved.

The Treasurer's Report for July was approved by motion of Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

The Bills to be Paid for July and August, to date, were approved by motion of Scott, 2<sup>nd</sup> by Waybright. Scott commented that something is not right concerning the Aero Oil bill, that is, the number of gallons. The secretary said this should be 225, not 25, and will correct. Carried unanimously.

#### Subdivisions:

Budd Hallberg - Final plan. A note has been added regarding site distance (#6) and the detail of a clear site triangle (#7) has been shown. Motion to approve the plan by Dayhoff, 2<sup>nd</sup> by Scott, carried unanimously.

Melvin Werdebaugh - Preliminary plan. Following discussion of HRG's comments, motion by Scott to approve with the note that Item 2 (a) of HRG's comments is not included and must be handled by inclusion on the plan. The plan is, however, subject to HRG comments #1 and #3. 2<sup>nd</sup> by Waybright, carried unanimously. Motion to send the modules to DEP by Dayhoff, 2<sup>nd</sup> by Scott, carried unanimously. Tim Redding asked if a driveway permit would satisfy #3 and was told to put site distance on the plan.

Blue and Grey Partnership - Preliminary plan was turned down by the Planning Commission because of improper use of the Form B waiver. Harry Ramage, the developer, feels that they are in conformance and turned the discussion over to his attorney "Chuck" Zaleski. Zaleski said that their desire is to subdivide, not to propose for development; however, some in the future may be developed and would have to pass a perc test then. They would be glad to put notes on the plan to that effect; if and when developed, they would have to get the appropriate approvals at that time. Ramage acknowledged that a sewer test and DEP plan would be required. Dayhoff questioned the likelihood of someone buying three acres and farming it and Scott added 'with steep hills and trees on it.' Following additional discussion Dayhoff commented that he thinks this is the biggest bunch of crap ever fed him at this table, the lowest way there is, and with that made a motion to turn down the preliminary plan. 2<sup>nd</sup> by Scott, carried unanimously. Ramage asked the Supervisors what they would like to see, but they declined comment.

Deer Chase - Zaleski said that a preliminary plan of 22 lots in Mt. Joy Township and three lots in an adjoining township had been formally submitted. They looked at an alternative and submitted a sketch plan showing 16 lots, but this was not formally submitted. He further said that traffic volumes in the area are extremely low. With the developing of 22 lots and the widening of streets, the developer would contribute "X" amount of money to use for road improvements wherever it was felt appropriate. With the alternative of reduced density, they won't widen the roads, but are willing to give \$1,000 per lot. They understand that there is a feeling that a road should be within the development, but believe this plan can comply. They are looking for guidance from the Township and offered an extension of time; would now offer to the Board 30 days. They don't feel a new road needs to be built into it.

Ramage reiterated that with 22 lots, he would suggest an amount of money to be paid to the Township. With lower density, he offered \$16,000. He would request an extension. Sam Boring added that at the second meeting, people were screaming about the development and so they tried to come up with less density. George Scott said that this (the 22 Mt. Joy, 3 Germany) is the plan on the table. At the one Planning Commission meeting, the lesser density plan wasn't formally submitted. Dayhoff suggested taking a 60-day extension and having a joint workshop (Supervisors and Planning Commission). Following additional brief discussion, motion by Scott to extend the time for consideration through 10/31/99, 2<sup>nd</sup> by Waybright, carried unanimously.

Gettysburg Village Factory Stores and Festival Center - Dayhoff asked Michael Wachs, who was present on behalf of Delancey Associates, if an agreement had been worked out with WRRMA to convey land for expansion and was answered 'four acres'. GVFSFC is requesting an exemption for Phase I. Attorney Davis explained that the sewerage act (537) does not have to have revisions at this time; there is no overload projected for the next five years. Motion by Waybright to grant the exemption, 2<sup>nd</sup> by Scott, carried unanimously. Motion to send the modules to DEP by Dayhoff, 2<sup>nd</sup> by Scott, carried unanimously. Dayhoff commented that in the past Boyle had offered a section of the property to be handed over to the Land Conservancy of Adams County. Wachs will look into this.

### Road Report:

The road report was read by Road Superintendent Bill Miller. He added that he would like to do line painting on White Church, Barlow-Two Taverns, Schwartz, and the roads that were chip sealed.

### Building Permits Report:

Building permits issued during the last month were read by Sam Dayhoff.

### Correspondence:

- A letter was read from Gregory Boyle clarifying his affiliation with Delancey Associates.
- A letter was read from Marcia Staub inquiring about one waste hauler for the Township. Scott said that this would have to be bid and Waybright inquired what would happen 'down the road'. Davis said that the need for bidding is correct and added that Gettysburg and Straban Township are currently working with Bicky Redman on something. In regard to prices going up, the compost facility would be feasible. Waybright asked how long a contract usually is and was answered 'typically, three years'. Following additional discussion, it was decided to contact Bicky and see if she can come to the next meeting.

### Announcements:

There will be a zoning hearing on Tuesday, September 7, 1999, at 7:30 PM. There will also be a conditional use hearing on Tuesday, September 14, 1999 at 10 AM regarding moving the GVFSFC driveway 50'.

### Old Business:

Long Road - There was discussion with Tim Redding regarding a drawing of two proposed lots being taken off, with a cul-de-sac. There was also discussion regarding a survey for the remainder of the road to be vacated and who would pay for it.

### New Business:

Signature Cards - Motion by Waybright, 2<sup>nd</sup> by Dayhoff, to adopt a resolution removing former Supervisor Harold Beebe from the banks' signature cards and adding Supervisor George Scott; carried unanimously.

Cell Tower Ordinance - A memo was read from Elsie Morey regarding the need for a cell tower ordinance. Dayhoff commented that towers are covered to a point in the Zoning Ordinance. However, Morey feels that there are a lot of issues that are not really

addressed; for example, how tall they can be. Following additional brief discussion, it was decided to get sample copies of cell tower ordinances. Dayhoff commented that cell towers may be going by the wayside due to digital and satellite systems. Waybright thinks that Straban has a moratorium on these, which will put pressure on Mt. Joy Township.

Policy for Reviewing Subdivision and Land Development Plans - Discussion was tabled until the Supervisors meet with the Planning Commission.

Cargill Salt Quote - Motion by Waybright, 2<sup>nd</sup> by Scott to accept the quote of \$38.00/ton delivered, carried unanimously.

Scott said that in regard to a joint session with the Planning Commission, it should probably be suggested that the Supervisors and Planning Commission meet together on things for a while.

Meeting adjourned at 10 PM.

Respectfully submitted,

Bonnie L. Koontz  
Secretary