

OCTOBER 18, 2007 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:30 p.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Robin Crushong, Treasurer; News Reporters Aaron Young (*The Gettysburg Times*); and Secretary Brenda J. Constable.

Others in attendance were: Dorcas Shelly; Carol Holtz; Harry Walker; Robert Jones; Jerry Althoff and Audrey Weiland; representing the Planning Commission; Elsie Morey; Eileen T. Holmes; Sally Alexander; Pam Roman and Dave Updyke representing the Watchdog Group; and Tom Dunchack.

Board Chairman Waybright led everyone with the Pledge to the Flag.
The meeting was being recorded by the Township.

Minutes:

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the September 20, 2007 minutes as presented. Motion carried unanimously.

Public Comment:

Mr. George Scott thanked Aaron Young, News Reporter, for the good article he had on the Traditional Neighborhood Development (TND) workshop held recently.

Announcements:

Secretary Constable announced that the Township has been cracking down on removing off premise signs throughout the Township, especially real estate signs. She encouraged realtors and developers to check with the Township ordinance requirements prior to placing signs throughout the Township. It was noted that the upcoming Township Newsletter would also include information on this.

Mr. Davis addressed the issue of what is allowed or not allowed in Township road right-of-ways, and noted that more detailed information would be included in the upcoming Newsletter.

Treasurer:

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

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

Subdivision/Land Development Plans:

Plan Extension Requests: Mr. Scott asked to address the issue of developers continuing to request extension for plan review. He stated that some plans currently on the table have been there for two years and the extension requests do not justify why they are taking so long. He feels that as a Board, when extension requests are submitted, the Supervisors should ask the applicant to justify why they are asking

for the extension, explain what they are doing to accomplish outstanding issues, and give an approximate date as to when the plan should be done. Supervisors discussed whether to put this into policy or not, and decided to

They decided they would act on the extension requests tonight as received but any subsequent requests would need to clarify the reason for the request.

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads. Supervisors' extension granted through 11/30/07. Remains on the table.
2. ShIPLEY Stores, Inc.: proposed land development plan for removal of existing store at 1910 Baltimore Pike, and building of new store with gas pumps and bank. Supervisors' extension granted through 10/23/07. Applicant requesting an extension through January 25, 2008. Mr. Dayhoff moved, seconded by Mr. Scott, to approve an extension through November 16, 2007 and request justification by the November 15, 2007 Supervisors' meeting for any future extension requests, including what they are working on and why the extension is needed. Motion carried unanimously.
3. Twin Pond Estates-Bon Ton Builders: proposed 34-lot subdivision on Harney Road. Requesting a 90-day to 120-day extension. Supervisors' extension granted through 12/09/07. Planning Commission recommends a 90-day extension. Mr. Chantelau moved, seconded by Mr. Scott, to approve a 90-day extension based on Planning Commission and Bon Ton's engineer letter of explanation. Discussion: Mr. Dayhoff questioned why the applicant had not filed for permits earlier in the process. Mr. Althoff noted that because they already had a little more than a month left on their first timeline, that is why the Planning Commission recommended approval of the 90-day. With no further discussion, the motion carried unanimously.
4. The Links At Gettysburg-Powder Creek: proposed 44-unit subdivision/land development. Supervisors' extension through 11/09/07. Requesting extension through January 25, 2008. Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve an extension through November 16, 2007 and request justification by the November 15, 2007 Supervisors' meeting for any future extension requests, including what they are working on and why the extension is needed. Motion carried unanimously.
5. Neiswender, Robert E.: proposed 2-lot subdivision and lot addition at 119 Roberts Road. Mr. Neiswender was present to review this plan. It was noted that Planning Commission recommends waiver of preliminary review and approve as a Preliminary/Final plan with contingencies. County and KPI comments were reviewed. Mr. Chantelau moved, seconded by Mr. Dayhoff, to approve as a Preliminary/Final plan contingent on satisfying KPI comments dated September 25, 2007. Motion carried unanimously. Mr. Scott moved, seconded by Mr. Dayhoff, to approve a Sewage Facilities Planning Module for Lot 2 for submission to DEP. Motion carried unanimously. Mr. Dayhoff moved, seconded by Mr. Scott, to approve a Request for Waiver and Non-Building Declaration for Lot A for submission to DEP. Motion carried unanimously.
6. Fields of Gettysburg – Colbier Farms, LLC.: Request for approval of Component 3. Sewage Facilities Planning Module for proposed 55-lot Conservation By Design on Barlow-Two Taverns Road. Mr. Scott moved, seconded by Mr. Dayhoff, to approve submission of Sewage Facilities Planning Module and adopt Resolution #23 of 2007 for Plan Revision for New Land Development for The Fields of Gettysburg. Motion carried unanimously.
7. Keller, Michael J.: 3-lot subdivision approved on July 21, 2007. Applicant requesting a re-approval due to missing the 90-day requirement for recording at the County Recorder of Deeds. Mr. Dayhoff moved, seconded by Mr. Chantelau, to re-approve the Final subdivision plan as presented. Motion carried unanimously.

Road Report:

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

Zoning Officer's Report:

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

Correspondence:

Ms. Constable noted receiving the following correspondence:

- Order of Court – Kirsten A. Phillips to be appointed as constable for Mount Joy Township.
- S. G. Marinos held a WWII private combat simulator on October 5-7, 2007 off of Civil War Lane.
- Request to provide chipping of woody garden waste periodically throughout the year. Discussion was held, noting that the Township would try this but if it got out of hand with residents bringing junk instead of just woody material for chipping, they would stop it. It was decided that a notification would be placed in the Newsletter, as well as notifying the residents that Franklin County has a drop off for not only woody materials, but also junk.
- PennDOT policy clarification for projects using Federal Highway Administration funds.
- County Planning training courses for Local Technical Assistance Program.
- WRRMA August minutes.
- Gettysburg Volunteer Firefighters Relief Association Audit Report.
- Comcast notice of new and improved services and price changes effective November 5, 2007.
- PennDOT invitation to South Central PA Regional Operations Plan and Incident Management Task Force meeting on October 23, 2007.

Committee Reports:

Personnel: Nothing to report.

Finance: Mr. Chantelau noted that the Committee is still working with the Treasurer on preparation of the 2008 budget.

Planning, Land Use & Zoning: Discussion of TND (Traditional Neighborhood Development) presentation by Keystone Custom Homes held on October 17th. Mr. Waybright questioned if some of the ideas presented were things that the Township could incorporate into what it is already doing; i.e. mixed housing, small lots, more recreation areas per development, etc. Mr. Chantelau noted that the MPC includes a section on TNDs and perhaps TNDs could not be incorporated without the TND zoning according to the code. Supervisors explained what "in community" businesses were, such as, day care, barber shops, etc., not industrial or heavy commercial. The idea is so that people in the community could walk to the businesses. Intent is to have small businesses on first floor, housing/apartments on the second floor, parking for businesses in the front and parking for residential in the back with parking facilities. It was noted that the presentation was geared towards larger TNDs and if anything were to happen like that in Mount Joy Township it would be the smaller end with mix of housing types with smaller recreation areas, and possibly no businesses or if any,

only a few. Similar to small town affect. Some commercial would be encouraged so as to get the traffic savings and keep the people in the community so they wouldn't be driving out for convenience supplies. Supervisors agreed that it is an alternative and doesn't see any problem with allowing it; it could be made an option, but the Township is in no way putting it on paper. Mr. Davis pointed out that the two main issues are: a) what does it do for the Township; and b) if allows more dense development, then it provides more TDRs which preserves more land at no cost to the Township general fund. It was decided that the Supervisors would try to visit some townships that have already incorporated TNDs to discuss the pros and cons, and tour them as well. It was also suggested that if Keystone would want to present some text on TNDs, to have them do that for the Supervisors' review; not for vote or a hearing but only to start looking at it. The Supervisors would also like to have the Planning Commission members along on the tour. In summary, the Supervisors will consider the concept by starting to look at different TNDs and by speaking with other townships that have them.

Roads: Nothing to report.

Public Safety: Nothing to report.

Agricultural Land Preservation: Noted receiving the monthly report. With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Kirschner, to approve and sign an Agreement of Sale for the purchase of land conservation easement in the amount of Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) per acre to purchase the improved real property located at and known as 239 Straley's Road, Littlestown, Mount Joy Township, Adams County, Pennsylvania 17340, and as described in Deed Book 368 and Page 465, totaling 60 deeded acres, all of which acreage has been appraised for this price, owned by Patricia A. Straley. It was noted that Mrs. Straley accepted the Board's offer of 80% of the appraised value. Motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Kirschner, to approve submission of the Adams County Green Space Grant Program Application to the County. Motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Kirschner, to approve a draw down of \$50,000 from the \$2 Million Bond. Motion carried unanimously.

Recreation Board: Noted receiving the monthly report and minutes. With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Kirschner, to approve the submission of the Adams County Green Space Grant Program Application to the County.

Mr. Dayhoff requested an **Executive Session** at this time (8:35 p.m.), prior to the vote.

Meeting Reconvened:

Board Chairman reconvened the Supervisors Meeting at 8:55 p.m. this date with Supervisors Chantelau, Scott, Dayhoff, and Kirschner; Solicitor Davis; and Secretary Constable in attendance. Others attending were: Robin Crushong; Aaron Young; Jerry Althoff; Audrey Weiland; Eileen Holmes; Carol Holtz; Elsie Morey; Dorcas Shelly; Harry Walker; Pam Roman; Dave Updyke; and Sally Alexander.

Mr. Davis explained an Executive Session was held while a motion was pending on the floor about the Adams County Green Space Grant Program Application under the Recreation Board. The reason for the Executive Session was that applications such as this often times deals with the acquisition of real estate, which is always done in Executive Session. What is not in Executive Session is that there is a rec study going on, which most citizens are aware of, which has not yet identified real estate. The Supervisors will take some type of action.

Recreation Board continued:

Mr. Waybright stated that there is a motion and a second on the floor to approve the submission of the Adams County Green Space Grant Program Application to the County from the Rec Board, with the understanding that this money would have to be used before the Township gets the study back. With that in mind, he called the question. The motion was unanimously opposed.

Mr. Dayhoff moved, seconded by Mr. Scott, to authorize the submission of a Grant Application under the Historic category for the Adams County Green Space Program. Motion carried unanimously.

Mr. Waybright announced that the Rec Board is still seeking community involvement.

New Business:

Requests for Security Reduction:

1. Barton Breighner: Requesting Security Reduction #1 for Fairview Farms development. Mr. Dayhoff moved, seconded by Mr. Waybright, to deny the request because highway occupancy permits have not yet been received and the final plan has not yet been signed. Motion carried unanimously.
It was noted that the MPC allows 45 days for the Supervisors to take action on a request for security reduction.
Mr. Dayhoff moved, seconded by Mr. Waybright, to rescind the prior motion. Motion carried unanimously.
Mr. Dayhoff moved, seconded by Mr. Scott, to authorize KPI to perform inspections relative to the request for security reduction #1 as soon as the HOP is received from PennDOT for the pending plan which will then be ready for signatures. Motion carried unanimously.
2. Audrey & Gary Weiland: Requesting Security Reduction #1 for A+ Mini-Storage land development. Mr. Dayhoff moved, seconded by Mr. Waybright, to authorize HRG to do inspections relative to the request for security reduction #1. It was noted that HRG is acting engineer for the township for this plan because KPI is Weiland's engineer. 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 9:10 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary