

## **JULY 21, 2005 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 W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; News Reporter Charles Schillinger (*The Evening Sun*); Jarrad Hedes (*Gettysburg Times*); and Brenda Constable, Secretary.

Citizens in attendance were: Corinne E. McCleaf; Jerry Althoff representing the Planning Commission; Beverly Boyd; LeRoy & Jackie Basehoar; Millard Basehoar; Gary DeFoe; John & Pam Roman; Frances Davis; Robert Davis; John McAlister; Craig Yingling; Chad Yingling; Henry C. Reaver Jr.; William Gross representing Orth-Rodgers & Assoc.; Steve Alexander; Sally Alexander; William Himmelreich; Jeremy Miller; Lyman Schwartz; Keith Miller; Jack & Betty Myers; Dave Updyke; Elsie D. Morey; and Eileen Holmes.

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

### **Minutes:**

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the minutes of the June 16, 2005 Public Hearing as presented. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the minutes of the June 16, 2005 meeting as presented. Motion carried unanimously.

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

Mr. Waybright announced that the proposed zoning map amendment would not be addressed at this meeting. The Supervisors had just received the transcript from the Public Hearing and have not had enough time to review and discuss it. He also noted that the Supervisors did not have a time limit on this amendment. He added that the Supervisors were in no rush to make a decision and whenever they were ready to discuss or make a decision on this issue, they would need to run a legal notice for adoption so notice would be in the paper prior to the meeting.

### **Persons Requesting Time:**

Chad Yingling: Regarding Long Road. Mr. Yingling was interested in the status of Long Road because he was interested in having a portion of the road vacated, in the area where he owns property. Mr. Davis explained that in 1998 a petition was presented to the Supervisors to vacate the road, with everyone who lived along that road signing it except one landowner. So it could not be vacated. All property owners along Long Road need to agree to vacate it for this to happen.

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

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

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

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

1. Miller, Jeremy: requesting a waiver of a land development plan for a 2,400 sq. ft. storage building located at 131 Two Taverns Road. The Supervisors noted that the Planning Commission recommends approval of the waiver. The Supervisors reviewed the sketch plan.  
Mr. Dayhoff moved, seconded by Mr. Scott, to approve the waiver for a land development plan. Motion carried unanimously.
2. Onorato, Joseph & Barbara: proposed 4-lot subdivision, including 2 lot additions, located at 358 Orphanage Road. Planning Commission recommends approval as a Preliminary/Final with contingencies. Mr. Bob Sharrah, representing Mr. & Mrs. Onorato, had informed the Township that outstanding issues had not yet been resolved so they were not ready to address this plan.  
Mr. Chantelau moved, seconded by Mr. Scott, to table action on this plan until the August meeting. Motion carried unanimously.  
Mr. Scott moved, seconded by Mr. Kirschner, to approve the Sewage Facilities Module as presented. Motion carried unanimously.
3. DeFoe, Gary & Sandy: final subdivision plan for two (2) lots at 929 White Church Road. Planning Commission recommends approval with contingencies. The Supervisors reviewed HRG comments.  
Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the Final Plan contingent on satisfying HRG comments and receipt of an NPDES permit. Motion carried unanimously.

### **Road Report:**

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

### **Zoning Officer's Report:**

Mr. Waybright introduced Mr. Dave Crouse, new Zoning Officer. No report was given this month.

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

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

### **Correspondence:**

Ms. Constable noted receiving the following correspondence:

- WRRMA minutes from May
- Comcast Corporation (replacing Adelphia) cable service coming to our area and requesting a consent to assignment and change of control resolution. The Supervisors noted that some wording needs changed in the current resolution so they would act on the resolution in August. They would also like to invite a representative from Comcast to the August meeting.

- Received notice from Adams County Solid Waste & Recycling that the contract with Waste Management is due to expire on December 31, 2005.
- Letter from Germany Township asking Mt. Joy to consider a regional zoning ordinance
- Letter from James & Margaret Myers requesting to change their zoning from AC to RR
- Letter from Littlestown Senior Center thanking the Township for annual donation

### **Committee Reports:**

Personnel: Nothing to report.

Finance: Nothing to report.

Planning, Land Use & Zoning: The Committee would meet to review the Germany Township letter regarding regional zoning, and the letter from Mr. & Mrs. James Myers.

Building & Grounds: Committee noted that the Township won the litigation relative to the defective salt shed roof.

Roads: Nothing to report.

Public Safety: Nothing to report

Agricultural Land Preservation: Noted receiving the monthly report.

Recreation Board: With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Chantelau, to approve and authorize the Board to send letters to other township and agencies as requested. Motion carried with Mr. Dayhoff recusing himself due to being a member of the Rec Board.

### **Other Business:**

#### **Barlow-Two Taverns Road Study:**

With recommendation from HRG regarding a road study on Barlow-Two Taverns Road, Mr. Scott moved, seconded by Mr. Chantelau, to authorize the advertisement of an ordinance to set the speed limit at 40 mph on Barlow-Two Taverns Road, post curves with signs, and install more speed signs where warning signs are not needed, and to set the date of adoption for said ordinance for August 18, 2005. Discussion: the Supervisors questioned if the Road Superintendent could go ahead and post the signs prior to adoption of the ordinance. Mr. Davis stated that it would be okay to do this. With no further discussion, the motion carried unanimously.

#### **Act 209 Traffic Impact:**

With recommendation from the Act 209 Advisory Committee, Mr. Waybright moved, seconded by Mr. Dayhoff, to accept the proposal from Trans Associates to perform the Traffic Impact plans and studies as required under Act 209. Discussion: the Supervisors noted that they would need to decide who would do the traffic counts, township personnel or Trans Assoc. personnel. Mr. Chantelau asked if the Advisory Committee had checked any references for Trans Assoc. Mr. Jerry Althoff, representing the Act 209 Advisory Committee, stated that they did not. He noted that the committee did not just look at expenses, but what would be the best for the Township. The Committee felt that Trans had the most complete RFP.

Mr. Scott stated that he would prefer to check references. Mr. Kirschner stated that he would like to check references and have a legal review of the proposal. Mr. Dayhoff commented that the Township has a very good and competent committee and fees that the Supervisors should keep this process moving by going with the committee's recommendation.

Mr. Scott moved to amend the motion to accept Trans Associates proposal contingent on legal review by Mr. Davis, obtain references, and then authorize the Chairman to sign the agreement as soon as it is finalized. Motion carried unanimously.

Act 209 Resolution No. 8 of 2005 Amendment:

Mr. Chantelau moved, seconded by Mr. Kirschner, to amend Resolution No. 8 of 2005, Act 209 Traffic Impact, adding the intersection of White Church Road and Goulden Road to the list of identified intersections. Motion carried unanimously.

**New Business:**

Ordinance No. 2005-07 – Lot Consolidation:

Mr. Dayhoff moved, seconded by Mr. Scott, to adopt Ordinance No. 2005-07, adding a new section to the zoning ordinance allowing the combination of permitted smaller subdivided lots into larger lots, as follows:

ORDINANCE NO. 2005 – 07

AN ORDINANCE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, AMENDING SECTION 110-26.B.(3)(I) (Subdivision limitations) OF ARTICLE III (Districts) OF CHAPTER 110 (Zoning) OF THE CODE OF ORDINANCES BY ADDING A NEW SUBSECTION [3] ALLOWING THE COMBINATION OF PERMITTED SMALLER SUBDIVIDED LOTS INTO LARGER LOTS.

The Board of Supervisors of Mount Joy Township hereby ordains as follows:

Section 1. Section 110-26.B.(3)(I) of Article III of Chapter 110 (Zoning) of the Code of Ordinances of Mount Joy Township is amended to add a new subsection [3] which shall read in its entirety as follows:

[3] The foregoing maximum lot sizes notwithstanding, lots permitted pursuant to §110-26. (3)(a)[1] above may be combined to form larger lots. For each two (2) acres or portion thereof that is included within the new lot, one allowable lot will be exhausted. In no event shall the combination of lots consume more area than would have otherwise been permitted pursuant to this section 110-26.B. Such combination lot(s) will not be entitled to any future lot subdivisions. The subdivision plan shall note this limitation and clearly state the total number of allowable lots, the number exhausted by the combination(s), and any lots still available for subdivision that remain with the parent tract. Another note shall indicate that the applicant on behalf of himself, his heirs, successors or assigns, has entered into an agreement that the combined tract may not be further subdivided

Section 2. Except as amended by Section 1. above, Section 110-26.B.(3)(I) of Article III of Chapter 110 (Zoning) is hereby ratified and confirmed.

ENACTED AND ORDAINED this 21<sup>st</sup> day of July , 2005.

TOWNSHIP OF MOUNT JOY

Attest:

\_\_\_\_\_/s/\_\_\_\_\_  
Its Secretary

\_\_\_\_\_/s/\_\_\_\_\_  
Its Chairman  
\_\_\_\_\_/s/\_\_\_\_\_  
Supervisor  
\_\_\_\_\_/s/\_\_\_\_\_  
Supervisor  
\_\_\_\_\_/s/\_\_\_\_\_  
Supervisor  
\_\_\_\_\_/s/\_\_\_\_\_  
Supervisor



Motion carried unanimously.

2005-2006 Junkyard Certificates:

Mr. Chantelau moved, seconded by Mr. Scott, to approve and sign the 2005-2006 Junkyard Certificates for the following:

Frank Hartlaub Used Cars  
Francis Hartlaub  
4110 Baltimore Pike, Littlestown

Jeffrey Miller  
691 Mud College Road, Littlestown

Hartlaub's  
Sam & Robert Hartlaub  
1475 Highland Avenue, Gettysburg

Moon's Imports  
Richard Munshour  
1650 Baltimore Pike, Gettysburg

John McAlister III  
3668 Baltimore Pike, Littlestown

Steven Ziegler  
4002 Baltimore Pike, Littlestown

John. H. McAlister IV  
2771 Baltimore Pike, Gettysburg

Frankie's Used Auto Parts  
William Frank Walls, Sr.  
2665 Baltimore Pike, Gettysburg

Motion carried unanimously.

Citizen Inquiry:

Ms. Corinne McCleaf, resident of Baltimore Pike, asked the Supervisors if they know what type of activity was going on at the property across the road from Adelpia Communications along Baltimore Pike. She noted that fill and millings, and other stuff were being dumped and the place was looking bad. The Supervisors informed her that they did not know but would check it out. They also suggested that she contact PennDOT since Baltimore Pike is a state road.

Executive Session:

Mr. Waybright called for an Executive Session at 8:35 p.m. this date.

**Meeting Reconvened:**

Mr. Waybright reconvened the Supervisors' Meeting at 9:05 p.m. this date with the following others in attendance: Supervisors Bill Chantelau, George Scott, Sam Dayhoff, and Harold Kirschner; Solicitor Walton V. Davis; and Secretary Brenda Constable. Others in attendance were: Dave Crouse, Zoning Officer; Jerry Althoff; Eileen Holmes; Steve Kelley; Jerry Maloney; Henry Reaver; Lyman Schwartz; Mr. & Mrs. James Myers.

Mr. Davis stated that discussion during Executive Session was relative to a possible acquisition of real estate.

**Other Business:**

The Supervisors noted that the former Golden Menu Restaurant has been demolished and is now a pile of rubble. They instructed Mr. Davis to send the owner a letter informing him that the scrap needs to be removed.

**Adjournment:**

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Chantelau, to adjourn the Supervisors' Meeting at 9:10 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable  
Secretary

DRAFT