

December 16, 1999

The Mt. Joy Township Supervisors held their regular monthly meeting on Thursday, December 16, 1999 at 7:30 PM in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg. All Supervisors, Dayhoff, Waybright and Scott, were present. Also present were Township solicitor Walton V. Davis and Township secretary Bonnie L. Koontz.

The minutes of the last regular monthly meeting, November 18, 1999, were approved by motion of Dayhoff, 2<sup>nd</sup> by Scott, carried unanimously.

The Chairman had no official statement.

Public Comments:

John McLatchey - Requested that two letters from concerned citizens regarding the proposed Deer Chase subdivision be read before that subdivision is discussed by the Supervisors. His request was granted.

Ralph Taylor - Commented that on 12/15/99 the Planning Commission recommended unanimously approval the final land development plan of the Gettysburg Village Shopping Center. Plumes of smoke ascending from the site indicate that something bad is happening in Mt. Joy Township. (A copy of Mr. Taylor's comments was submitted for the Township records.)

Eileen Holmes - Feels that Boyle was rude; also feels the Delancey Group is rude as they are out in the hallway talking and not listening to what is being said. She also inquired if bills such as William F. Hill's and Herbert, Rowland and Grubic are broken down when they come in and if the developer(s) are billed accordingly. She also questioned Attorney Davis' familiarity with the Township.

Mary Taylor - Commented on the Senator Santorum letter and read portions of the letter from Mt. Joy Township Supervisors to the Senator.

Speros Marinos - Commented that he is the owner of a nearby farm and was allowed three weeks to do salvage operations on the buildings which existed on the Delancey site. He can't stand to hear what is happening here tonight. Rt. (PA) 97 is still unpaved; he is told this is because a decision has not yet been made on the Delancey project. His family salvaged the former Huber Smith house; 100% of the pre-civil war items were recovered from the house. The corn crib was dismantled and ready to be reconstructed. Adams County Conservation has been out; the retention basins on the site are working well. Conewago (Enterprises) has done a good job on the site, they are professional. The road to the sewer plant has been maintained open. He requested the Supervisors to please make a decision tonight.

David Updyke - Commented that on 12/14/99 an accident occurred on Rt. 97/Miller Road. Traffic was diverted down back roads and maintained a 55 mph speed limit. One lane roads are not safe.

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

The Bills to be paid for November and December to date were motioned to be paid by Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

Chairman Dayhoff next recognized Lyman Schwartz who had requested time on the agenda to discuss Long Road. Schwartz asked for an update on the status of closing Long Road and Dayhoff responded that he had talked with (Mike) Danner Tuesday evening. Mr. Danner is unsure of what he wants to do at this point. Schwartz commented that it has been a year since the Supervisors were petitioned to close Long Road last November. Since it has been that long and Mike (Danner) was not the actual owner at that time, there was hope that there would be movement to get it closed. (The owners there (with property along Long Road)—their say should carry some weight. One owner had said that by July, Danner would have it wrapped up, but it hasn't happened. Dayhoff said that Danner was going to survey and give the Township the needed information and the Township would have the Solicitor do the paper work. Danner is not sure how far the road should go back; says he could make the Township open the road. Schwartz pointed out that the petition was in hand before Danner bought the land.

#### Subdivisions:

Gary Defoe - Scott said the concerns of the Planning Commission have been addressed; clarification was given that a spray irrigation system doesn't need a back-up site. Motion to approve the plan by Dayhoff, 2<sup>nd</sup> by Waybright, carried unanimously. Motion to approve the sewer modules to be forwarded to DEP by Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

Blue and Gray Partnership - Request for planning module exemption; sewer testing was completed in November for all lots. All have a primary and secondary site. Motion to sign the "post card" by Scott, 2<sup>nd</sup> by Waybright, carried unanimously.

Deer Chase - Barbara Steele read a letter from concerned citizens in Mt. Joy Township who live near the proposed development. (A copy was submitted for the Township files.) Jackie Moose from Germany Township expressed concerns about water on Updyke Road backing up onto her property. She also read additional concerns from a letter from citizens of Germany Township. She feels there may still be underground tanks on the property. Her father had owned the property and then sold it; the buyer put tanks in.

Dayhoff read a memo from the Planning Commission outlining various recommendations. An ag disclaimer has been put on the plan. Dayhoff said, getting back to the road issue, the

last time there was discussion on road width and the curve in the road. Hoover said that the curve has been improved, the sharpness taken out. Since Mud College Road has an existing 20' cartway, shoulder and swales would be added. Scott said the road superintendent measured the road and it was found to actually have 18 and 19 ft. cartway at some places. The Township would like the developer to widen his half to 24' plus shoulder plus drainage.

Waybright asked how many feet the curve had been brought in and was answered approximately 12'.

Dayhoff asked what was proposed on Mud College and was answered 4' shoulder and drainage. Hoover pointed out that Ramage will contribute for Recreation \$200 per lot. The Township will check into this with the solicitor. Ramage said they will widen Mud College Road to be consistent with the other roads. Motion by Scott to approve subject to the Planning Commission's conditions being met, 1) Mud College Road cartway widened to 12' from the center line as Updyke Road. Also, 2) prior to final subdivision approval a backhoe will be utilized with a Township employee present to assure that underground tanks are not

present. Second to the motion by Dayhoff. Discussion ensued during which Waybright said he is not happy with the curve, it is not straightened; the straighter, the better. If the curve is not straightened now, it never will be. What the Township is dealing with now will be forever; he would like to see it straighter. During additional discussion, the developer expressed willingness to put a restriction regarding landscape plants in the clear site area. This is to be point number three as a condition of the motion that a vegetation easement at the 40' setback in the radius of the curve be included for lots 5, 12, 16 and 20. Scott amended his motion to include condition #3, Dayhoff 2<sup>nd</sup> the amendment. Motion carried unanimously.

#### Road Report:

The road report was read by Road Superintendent Bill Miller.

#### Zoning Officer's Report

A list of building permits issued was read by Dayhoff.

Gettysburg Village Factory Stores (Delancey) - A letter was received from Michael Wachs requesting completion of the final land development plan approval process and also requesting that the Board of Supervisors adopt a resolution accepting the deed of dedication for land from the White Run Subdivision along PA 97. There was discussion regarding the 7-11 land development plan. Atty. Davis asked Mark (Lewis) if he had everything needed for the 7-11 review. Lewis responded that the plan of record shows the driveway but no internal connections from the 7-11 parcel. Months ago he had in his comments that a land development plan should be submitted for 7-11. Davis asked if the signature block on the plan included 7-11. Sharrah said that it could.

The Supervisors went into an executive session at approximately 9:15. The meeting was recalled to order at 9:37.

Township solicitor Davis said that the purpose of the session was discussion of the pending Delancey land development plan, during which there were questions for the Township engineer and solicitor.

There was considerable discussion regarding the necessity of a land development plan for 7-11. Motion by Dayhoff to table the final decision regarding the Delancey land development plan until December 30, 1999 at 7:30 PM, 2<sup>nd</sup> by Scott, who commented that he would like to see the HOP easements on the table. Motion carried unanimously.

Dayhoff further agrees that a land development plan is needed for 7-11. Islands and the canopy are going to be moved; this is more than just traffic improvements. Motion by Dayhoff to require a separate land development plan for 7-11, 2<sup>nd</sup> by Scott, carried unanimously.

#### New Business:

Blasting at Delancey site - Michael Wachs introduced Don Haney, blasting consultant, who explained the blasting process.

Mary Taylor inquired if there was a rule that required signs to be placed along the highway advising that radios were to be turned off, etc. She was answered that it depended how close the blasting was being done to the road. Penny Dunham noted that the blasters were getting ready today along Rt. 97 and wanted to know when the blasting would be done; would like to have a certified letter.

The inspection procedure was explained and questions answered about decorative objects sitting on shelves, etc. There was also a question about damage to wells. The response to this was that if a well dries up, there would have to be an investigation. The possibility of rupturing propane lines/tanks was discussed. The consultant feels there is little possibility of propane damage, as this procedure is generally safe for plaster on lath.

Reorganization Meeting - This meeting will be held on January 4, 2000 at 7:30 PM.

#### Old Business:

Budget - Motion by Waybright to adopt the budget with the additional corrections of \$3000 being added to participant recreation and \$7,000 being added to major equipment, 2<sup>nd</sup> by Scott, carried unanimously.

Following discussion, the agenda was cut for tonight. A meeting will be advertised and held on December 30, 7:30 PM to consider the Delancey final land development plan and the Planning Commission plan review process.