

**Mount Joy Township Supervisors’
Supervisors’ Regular Meeting & Public Hearing Meeting
January 17, 2013**

Meeting Minutes

Present: Supervisors - John Gormont, Chairman, David Updyke Vice-Chair, Bradley Trostle, Gil Clark, Mike Gearhart
Solicitor - Susan Smith; Secretary/Treasurer – Susan Harbin

10 Number of Residents Signed Attendance Sheet for this meeting.

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325.

Item/Topic	Discussion	Action/Resolution	Follow Up/ Date
Call to Order	John Gormont presiding. Starting Time: 7:03 pm		
Pledge of Allegiance			
PUBLIC HEARING			
Public Hearing	Starting 7:04 pm		
Call to Order	Public Hearing Meeting, duly advertised, opened at 7:04 pm. Chairman, John Gormont presiding.		
Revised Lighting Plan - Garrison Falls at The Links at Gettysburg, The Links at Gettysburg Land Co., LLC	The Links At Gettysburg Land Co., LLC has submitted a plan to revise the originally submitted plan for lighting in the Garrison Falls community, approved 10/20/2005 and recorded 10/24/2005, Book No. 4176, Pg. 264. The modification being proposed, revised on 9/26/2012, is coming after these plans have been finally approved and recorded, and after property owners have purchased lots on reliance upon the original plan. The revised plan proposes a reduction in the lighting from 72 lights to 37 lights. At the time the original plan was approved, it met the requirements of the MJT zoning ordinance which called for a light at every unit.		
Presenters:			
Bob Sharrah, Sharrah Design Group	Mr. Sharrah, land surveyor and consultant for The Links at Gettysburg, presented the revised plans before the Board. With some input from the community and considering the other communities already developed, it is believed that too much light is being proposed with original plan. The revised plan depicts 37 street lights, as opposed to 72 street lights, plus addition of 2 residential 6’ pole lights, 1 on Lot 22, and 1 to be placed between lots 67 and 70.		
Joseph Doyle, Chief Street Lighting Engineer, Philadelphia,	Mr. Doyle presented <u>The Links at Gettysburg – Garrison Falls, Mt Joy Township</u> Street Lighting Report, dated Jan. 15, 2013 to the Board.	Solicitor comments: Mr. Doyle is being allowed to testify because, as an engaged	.

<p>PA, retired</p>	<p>Mr. Doyle presented an alternative to the 37 lights, reducing the number of lights to 21. One of the key ingredients is the satisfaction and concerns of other residents in adjoining communities. Mr. Doyle evaluated the conditions and explored alternatives with a lighting manufacturer.</p> <p>Alternative A: installation of 21 LED fixtures – Actual illuminance 0.24, closely approaches the AASHTO standard. Alternative B: installation of 21 metal halide fixtures – Actual illuminance 0.27. Alternative C: installation of 37 metal halide fixtures – Actual illuminance 0.53, appears to meet the AASHTO standard for 4.0 foot-candles</p> <p>Mr. Doyle is recommending the Township consider using the 21 LED build out as an alternative to the AASHTO criteria.</p>	<p>consultant, he has traveled here for this purpose. His testimony will be available for a continued public hearing on a revised plan to be presented for 21 lights.</p>	
<p>Questions:</p>			
<p>1..Steve Rice, 64 Garrison Falls 2. Dave Larson, 36 Brookside Ln. 3. Dennis Bowman 17 Parkland Ct. 4. John Ramirez, 35 Brookside Ln. 5. Salvatore Ferlisi, 46 Brookside Ln. 6. Michele Warrington, Lot 1 7. Mark Williams, 6 Garrison Falls Dr.</p>	<ul style="list-style-type: none"> • What is the minimum number of lights required under the existing code? Mr. Doyle: AASHTO standard of quantity of light is a 4.0 average foot candle reading. How a community reaches that number varies. Meeting the criteria depends on the design of the poles and intensity of lights. • Can you get to the 0.4 foot candle with the 21 LED lights with sufficient amplification? Mr. Doyle: Don't loose sight of what you are trying to do with lighting by giving so much attention to The number of lights vs. lighting the road and sidewalks at priority. Need to meet criteria and the practicality of how it looks and works for the community. • Are the lighting requirements in the Ordinance used to approve the original plans excessive? Mr. Doyle: I do not want to comment on the MJT Ordinance. There are different standards that could be considered as alternatives • Can LED lights be used? Mr. Doyle: I would recommend LED lights. • Is it difficult to change from LEC lights, once installed, to the older style lighting? Mr. Doyle: Not easy to change out, expensive and difficult. 		
<p>Bob Sharrah, Rick Klein, Requirement in Ordinance: Light Per Lot,</p>	<p>Mr. Sharrah: The revised plan of 37 lights does not specify a light per home and includes street lights, not residential pole lights and meets the 0.4 AASHTO criteria. Mr. Klein is requesting a modification from the standard, and believes that the planned golf community regulation does give the Board the right to grant such a modification.</p> <p>Mr. Klein: To comply with the standard a light post with a 100 watt light bulb could be put on each front yard, meeting the standards and not supply enough light for street/sidewalk safety. The 21 light plan would like up all the streets, the intersections and do a better job of meeting what is required.</p>		
<p>Questions:</p>			
<p>1. Solicitor</p>	<ul style="list-style-type: none"> • Why does the revised 37 light plan not have any lights for Lots 67 through 70, and on Savannah Dr.? Mr. Klein: Community residents have requested less lighting. The lighting engineer planned an average 		

	of 0.4 foot candle and the engineer states that this plan meets that average.	
<ol style="list-style-type: none"> 2. Lisa Love, 5 Garrison Falls Dr. 3. Mr. Gormont 4. Steve Rice 	<ul style="list-style-type: none"> • What is defined as a residential style light fixture? Mr. Klein: It's a 6 ft. pole with a 100 watt light bulb. This is not being proposed in the revised plan. Street lights are being proposed. • Why are there no lights on lots along Savannah Dr.? Mr. Klein: Mr. Klein will be revising the plan to a 21 light plan which will have lights along Savannah Dr. 	
Public Comments		
<ol style="list-style-type: none"> 1. Dennis Bowman 2. Dave Larson 3. Lisa Love 4. Terry Castonguay 40 Brookside Ln. 5. Michele Warrington 6. Steve Rice 7. John Ramirez 8. John Love, 5 Garrison Falls Dr. 9. Dennis Bowman 	<ul style="list-style-type: none"> • Older communities in The Links are overrun with bright lights. Ordinance requiring this needs to be modified. • Recommending LED lighting, cost effective. • Only requesting enough light for street/sidewalk safety. Country living needs to be pleasant, please review and accept the revised forthcoming 21 light plan. • The issue is the quality of lighting in the community, not the number of lights. Encouraging uniform lighting throughout the The Links. • The Board needs to address how the Ordinances are being interpreted. Many MJT roads have no street lights. The difference seems to apply to communities, not residential neighborhoods. 	
Letters presented to the Board	<ul style="list-style-type: none"> • Ltr. dated 5/11/12, The Links At Gettysburg Land Co., Rick Klein, stating numerous complaints concerning too much light in the courts as previously planned and required. 16 signatures from residents attached, signifying approval of the modified lighting plan for Garrison Falls community. • Ltr. dated 1/11/13, Richard W and Angela F. Straker, 84 Garrison Falls Dr., Gettysburg, PA, supporting the plan that supports 21 streetlights. • Ltr. dated 1/14/13, Chip Conley and Jan Rovecamp, 179 Savannah Dr., Gettysburg, PA, preference to have approximately 10 light, one at each intersection and corner. Also stating the citations of code requirements are for commercial or dense residential areas and that there is no specific illumination standard for neighborhoods like The Links. The plan for 21 street lights is sufficient. • Ltr. dated 1/16/13, Thomas and Barbara Greeley, 55 Brookside Ln., Gettysburg, PA, supports a plan that has as few lights as needed to maintain safety within Garrison Falls. • Ltr. dated 1/17/13, Ginny Werder, 14 Brookside Ln., Gettysburg, PA, in support of the plan that has approximately 20 streetlights. 	
Recommendations Presented	<ol style="list-style-type: none"> 1. MJT Planning Commission: Report dated 7/10/12 - Recommending that a waiver be granted regarding a lighting plan for Garrison Falls, pending approval of the lighting engineer. Report dated 10/17/12 – Recommending approval with stated conditions. 2. Wm. F. Hill & Assoc., Inc: Ltr. dated 7/9/12 Ltr. dated 10/5/12 	

	3. Adams County Office of Planning and Development Ltr. dated 6/29/12		
General Comments From the Board	<p>Before the Board for consideration: Modification 1: the revised plan proposes a reduction in the lighting from 72 lights to 37 lights. Modification 2: each detached dwelling shall have an individual pole light. The Twp. has made a conclusion that Section N applies and the proper mechanism to challenge that would be an appeal to the Zoning Hearing Board.</p> <p>Mr. Sharrah, on behalf of Mr. Klein is requesting to continue the Public Hearing for the purpose of submitting a further revised plan of which the Board will allow public comment at that time.</p> <p>Modifications to be presented: 1) a reduction in the number of lights to 21, 2) modification of the single unit light per lot, and 3) modification from the 0.4 AASHTO standard.</p>	<p>Mr. Sharrah agrees to grant an extension of time for the Board of Supervisors to act on the plan.</p> <p>The Board did not make a decision at this meeting as the 37 light plan has been withdrawn.</p>	<p>Public Hearing to continue to 2/21/13 at 7:00pm.</p>
Adjournment	Closed Public Hearing: 8:45 pm		
Supervisors' Regular Mtg. Reconvened at 8:50pm			
Public Comments	None.		
Approval of Minutes	<ul style="list-style-type: none"> • December 20, 2012 Supervisors' Regular Meeting Minutes • January 7, 2013 Supervisors' Organizational Meeting Minutes • January 10, 2013 Supervisors' Workshop 	<p>Mr. Gearhart moved, seconded by Mr. Updyke, to approve Minutes as presented. Motion carried unanimously.</p> <p>Mr. Updyke moved, seconded by Mr. Gearhart, to approve Minutes as presented. Motion carried unanimously.</p> <p>Mr. Updyke moved, seconded by Mr. Gearhart, to approve Minutes as presented. Motion carried unanimously.</p>	
Chairman's Statement – John Gormont	No comments.		
Solicitor's Report – Susan Smith, Esq.	Solicitor's Report presented.	Mr. Updyke moved, seconded by Mr. Gearhart, to accept Report as presented. Motion carried unanimously.	

Persons Requesting Time on Agenda	None.		
Announcements			
Treasurer's Reports	Approval of Monthly Finance Report Approval Bills Paid Report.	Mr. Updyke moved, seconded by Mr. Gearhart, to accept Report as presented. Motion carried unanimously. Mr. Gearhart moved, seconded by Mr. Updyke, to accept Report as presented. Motion carried unanimously.	
Road Report	Report presented.	Mr. Updyke moved, seconded by Mr. Trostle, to accept Report as presented. Motion carried unanimously.	
Subdivision and Land Dev.			
1. Sheetz Preliminary/Final Land Development Plan	Stevens & Lee letter dated 1/8/13 granting a 30 day extension from 2/11/13 to 4/30/13 was presented for review.	Mr. Gearhart moved, seconded by Mr. Updyke, to accept a 30 day extension for the Sheetz Preliminary/Final Land Development Plan. Motion carried unanimously.	
2. Lynman D. Schwartz Preliminary/Final Land Development Plan	Beyond All Boundaries, LLC letter dated 1/8/13 granting a 180 day extension from 2/11/13 was presented for review. <ul style="list-style-type: none"> • Sewage planning is currently being conducted on the proposed lots. The soil probes have been completed on lots 1-14. Due to the harvesting activities on said lots, the percs could not be completed as desired. As soon as weather permits, the perc testing will begin. • Wetland delineations have been conducted on lots 1-4 along Two-Taverns Rd. Additional wetland investigations need to continue on the property. 	Mr. Updyke moved, seconded by Mr. Gearhart, to accept a 180 day extension for the Lynman D. Schwartz Preliminary/Final Land Development Plan. Motion carried unanimously.	
3. Fairview Farm Preliminary/Final Subdivision Plan Review	Bob Sharrah, Sharrah Design Group, presented the plan proposing the transfer of 0.72 acres from Lot 3 within the Fairview Farms subdivision to Lot 1 of the same subdivision. Would like to defer deeds written until lots are sold, SALDO 86-15.A(4),(5), asking for modification approval.. Presented: MJT Planning Commission Plan Review and Recommendations. Wm. F. Hill & Assoc., Inc. letter dated 1/8/13.	Mr. Gearhart moved, seconded by Mr. Updyke, to accept modification from SALDO 86-15.A(4),(5) for the Fairview Farm Preliminary/Final Subdivision Plan. Motion carried unanimously. Mr. Gearhart moved, seconded by Mr. Updyke, to approve the Planning Waiver and Non-Building Declaration for the Fairview Farm Preliminary/Final Subdivision Plan. Motion carried unanimously.	

	Adams County Office of Planning and Development letter dated 1/4/13.	Mr. Gearhart moved, seconded by Mr. Updyke, to approve the submitted Fairview Farm Land Development Plan without any further conditions. Motion carried unanimously.	
4. Fairview Farms Escrow Agreement	The financial company that is proposing to do the Escrow Agreement as the performance security for the construction of the improvements in the Fairview Farms development is asking who will be the Escrow agent.	Mr. Updyke moved, seconded by Mr. Trostle, to appoint the Township solicitor as Escrow Agent for Fairview Farms Escrow Agreement and to be responsible for distribution under appropriate circumstances. Motion carried unanimously.	
Wm. F. Hill & Assoc. Engineering Report, Eric Vranich	Report presented Issues with the end of Clapsaddle Rd regarding parked vehicles and the turning of municipal equipment. Adjacent homeowner, Mr. Kelly, concerned with vehicles turning around in his driveway.	Mr. Updyke moved, seconded by Mr. Gearhart to accept Report as presented. Motion carried unanimously.	Supervisors will review and discuss with Mr. Kelly to use his driveway as a turnaround for MJT trucks and install no parking signs. Engineer will research property deeds for right-of-way information.
Zoning Officer's Report Cindy Smith	Report presented.	Mr. Updyke moved, seconded by Mr. Gearhart, to accept Report as presented. Motion carried unanimously.	
Junk Yard License and Non Conforming Use Areas	All junk yard owners have been notified of a proposed junk yard area. Only 2 have come before the board with a response. It is time to establish the proposed junk yard areas and send out a formal notification for all license and non-conforming use determinations to conclude the process.	Supers agreed to send a letter out to the remaining junk yard owners stating that the Twp. has now determined, having had no response, that this is your license and non-conforming use area for the junk yard.	
Septic Haulers	Mr. Gormont stated that the Twp. has received a complaint from a resident which stated that several Twp. approved septic haulers are not in compliance with the Twp. agreement and specific requirements for the septic Ordinance. Each approved septic hauler has signed an agreement as to the Twp. specific requirements concerning compliance with the Twp. septic Ordinance.	Zoning Officer will set up a meeting with the approved septic haulers to clarify that if septic haulers want to be on the approved list, they must state a set fee for inspection and offer inspections, according to the Twp. ordinance, in addition to other services available.	

	Haulers must have the ability to measure the tank and a fee to measure the tank before they pump the tank. If tank does not meet the 1/3 rule, it does not need to be pumped.		
Land and Sea Services, LLC, Building Inspections	Report presented.	Mr. Updyke moved, seconded by Mr. Trostle to accept Report as presented. Motion carried unanimously.	
Monthly Fire Co. Reports	Fire Calls & EMS		
	MJT Calls per month	YTD Calls in MJT	
1. Alpha Fire Company	3 (Nov.)	24	
2. Barlow Fire Company	2 (Dec.)	39	
3. Bonneauville Fire Co.	5 (Dec.)	72	
4. Gettysburg Fire Co.	9 (Nov.)	101	
Correspondence	<ul style="list-style-type: none"> • Thank you note for Christmas gift from Gwen Updyke • Thank you note for Christmas gift from office staff • Gettysburg Adams Chamber of Commerce, 2/14/13, General Membership Brkfst invitation. 		
Committee/Board Reports			
<u>Personnel</u> B. Trostle, D. Updyke	Kenny Sheets was hired on Mon., 1/14 th as a part time road worker.	Mr. Gormont moved, seconded by Mr. Updyke, to re-affirm the hiring of Kenny Sheets as a part time road worker. Motion carried unanimously.	
<u>Finance</u> J. Gormont, D. Updyke	Re-organization of MJT Finance Cmte.	<p>Mr. Gormont moved, seconded by Mr. Trostle to re-organize the Fiancé Committee to 2 members instead of 3 members. Motion carried unanimously.</p> <p>Mr. Gormont moved, seconded by Mr. Gearhart, to reappoint Mr. Gormont and Mr. Updyke to the Fiancé Cmte. Motion carried unanimously.</p>	
<u>Planning Commission</u>	No report.		
<u>Planning, Land Use & Zoning</u> - G. Clark	No report.		
<u>Building & Grounds</u> - M. Gearhart	Water appears to be leaking onto the ceiling tiles in the Conference Room.	Mr. Gearhart will investigate.	
<u>Roads</u> J. Gormont	The Tar Kettle has been ordered for sealing cracks in Twp. roads. Chipper repaired and ready for trimming trees.		

<u>Public Safety</u> G. Clark	No report.		
<u>Council of Government</u> M. Gearhart	ACCOG December minutes presented. Joint purchasing – the Twp. should acknowledge if interested.	Mr. Gearhart will provide Mr. Gormont with the website on join purchasing with ACCOG.	
Other Business	No other business.		
New Business			
Resolution No. 15 of 2013	Tax Collector Fees	Mr. Updyke moved, seconded by Mr. Gearhart, to adopt Resolution No. 15 of 2013, Tax Collector Fees. Motion carried unanimously.	
Executive Session	No Executive Session.		
Adjournment	Meeting adjourned 9:56pm.		

Respectfully Submitted,

Susan C. Harbin
Secretary/Treasurer