

June 15, 2000

The Mt. Joy Township Supervisors held their regular monthly meeting on Thursday, June 15, 2000 in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All supervisors were present (Dayhoff, Waybright, Chantelau). Also present were Township solicitor Walton V. Davis and Township secretary Bonnie L. Koontz.

The minutes of the last regular monthly meeting, May 18, 2000 were approved with the following corrections/additions: page 2, last line, change "the" to "they" and on page three changing the third sentence at the top of the page to read "Following additional discussion, Mr. Reichart was advised to measure 30' back from the edge of the road right-of-way which is 16' from the center of the road, and to have it surveyed to determine if he would have 180 ft. at the building setback line." Motion by Chantelau, 2<sup>nd</sup> by Waybright, carried unanimously.

Chairman Dayhoff announced a recess to the meeting as the Planning Commission had requested a meeting with the Supervisors. The meeting was recalled to order at 8:14. It was announced that the Planning Commission had concerns regarding direction from the Supervisors, which were discussed, coming to a reasonable understanding.

Public Comments:

Mary Taylor - Inquired if Yingling (of Yingling's Auction) had applied for a variance regarding the Chinese restaurant he is intending to put in. Dayhoff replied that he is not sure that Yingling needs a variance as any commercial use allowed in that area is permitted inside the building. Ms. Taylor also asked if Yingling had met with WRRMA concerning this. Dayhoff said that is between Yingling and WRRMA.

Nickey Cool - Feels that the temporary 7-Eleven exit should have a "Stop" sign for people coming out. (This matter should be referred to PaDot.)

Mary Taylor - Noted that an orange arrow indicating "7-11" has been painted; cars go by the entrance and then stop and try to back up. Ms. Taylor also inquired if Dayhoff had received her message from Jill (Coleman) regarding traffic back-up the day the girders were being put in the bridge. She thought this work was to have been done at night. Some people had to wait an hour in midday. Coleman said she spoke with PaDot and was told that an alternate route should have been provided.

Eileen Holmes - Asked if Delancey had approval for the sign. She was answered "No"; there was one there but it has been moved.

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

The Bills to be Paid Report for May and June, to date, was approved by motion of Chantelau, 2<sup>nd</sup> by Waybright, carried unanimously.

Chairman Dayhoff recognized Attorney Jeffrey Cook who was present on behalf of Robert and Elaine Smith, owners of the Lightner Farm Bed and Breakfast located on Rt. 97. Current zoning limits the maximum number of units to four. A variance was sought from the zoning hearing board, but was denied. It now seems the only recourse is to seek a change in the zoning by amendment. Attorney Cook questioned how the restriction of four units in the zoning was determined. Why not consider six or seven? A motel license is not required until in excess of 12 units. Dayhoff commented that he sat on the Planning Commission when the zoning ordinance was written. He thinks the number "four" was just pulled 'out of the air.' Dayhoff further commented that the Township has just started doing a comprehensive plan after which the SALDO and ZO will be updated.

Chantelau questioned if the Smiths were operating a bed and breakfast and not residing at the property. Atty. Cook responded that they commute back and forth from New Jersey to be in compliance with the required number of days in residence.

#### Subdivisions:

Samuel Myers - Preliminary/final plan (two lots) of property located along Spangler School Road. Following brief discussion, motion by Dayhoff, 2<sup>nd</sup> by Waybright to approve as a final plan, carried unanimously.

Blue and Gray Limited Partnership - Preliminary plan of property (11 lots) located along Highland Avenue Road. In response to comments/ recommendations received from the Planning Commission, Harry Ramage, of Beyland, Inc., said that a phase I and II EPA study has been done. Plans are to remove the tires. A small amount of contaminated soil has been removed. Dayhoff asked if the barn had been removed. Ramage said that he hasn't been there, but understands that the barn has been removed. The foundation is still there and will also be removed. Regarding the disturbance of wetlands on lot #7, if they are disturbed, it would have to be in compliance with the Army Corps of Engineers regulations. He is willing to put a cautionary note on the plans. Regarding the note that a quarry is next door, the quarry hasn't been in operation for more than a year and he is reluctant to put a note on the plans unless the ordinance specifically requires it. The ag disclaimer is on the plan and can't really be put on the deeds. He has no problem noting that lighting must conform with Zoning Ordinance 110-38 "Glare" A & C. A copy of a Straban Township driveway permit will be provided to Mt. Joy Township prior to the issuance of a building permit. There was further discussion on Planning Commission recommendation #4 regarding a note indicating the proximity of an existing licensed quarry. Chantelau says he agrees with the Planning Commission because of health, safety and welfare concerns. It was decided that a note will be put on the plan that there is a licensed quarry site at such-and-such location. (The Township will advise the developer of the specific address and/or tax map parcel #.) There was discussion concerning the widening of the road, what the widening would consist of and when it would be done. The developer estimates it might be done next spring. Dayhoff said the Township should note its budget so that the road in front of the Conover and Shriner properties can hopefully be widened at the same time. Motion by Chantelau to approve the preliminary plan subject to the conditions set forth by the Planning Commission and discussed here tonight by the Supervisors (#2, 3, 4 and 5), 2<sup>nd</sup> by Waybright, carried unanimously.

#### Road Report:

Motion by Dayhoff, 2<sup>nd</sup> by Waybright to accept the road report as written, carried unanimously.

#### Zoning Officer's Report:

A list of building permits as reported by the Zoning Officer was read by Dayhoff.

#### Correspondence:

- Letter from the Pennsylvania Historical and Museum Commission stating that the Rock Creek/White Run Union Hospital Complex, Mt. Joy and Cumberland Townships, Adams County has been listed on the National Register of Historic Places as of May 18, 2000.
- WRRMA meeting minutes for April
- Gettysburg Area Rec Dept. meeting minutes.

#### Announcements:

Supervisor Waybright announced that he had attended a CRIS (Comprehensive Road Improvement Study) meeting. At the meeting it was stated that improvements to PA 97 are on the "fast track".

### Old Business:

No Parking Ordinance - Motion to adopt by Chantelau, 2<sup>nd</sup> by Waybright, carried unanimously.

Waste Hauler - As she is moving from the courthouse to the new ag center building, Bicky didn't have time to prepare the bids. Discussion tabled.

Vacation of Long Road - Atty. Davis had written a memo in 1998 outlining options the Township could consider for the vacating of the unimproved section of Long Road. The Board of Supervisors chose to do nothing, which was one of the options. The petitioners could have gone to court seeking vacation of the road, but they did nothing. Now there seems to be agitation going around that the Township is going to open the road and pay for it. Dayhoff stated that he has talked with (Michael) Danner who bought the Mearns property. The original intent was to put a cul-de-sac at the end. Discussion has led to the possibility of bring Long Road out to King Road, which would cut the response time of Barlow Fire Company to Long Road. Danner is willing to donate the ground and do the survey work if the Township does the road work. Nothing official has been done, however. Dayhoff would like the Township engineer to look at the possibility and get a cost figure. Chantelau feels the status of the road should be conveyed to the petitioners. He noted that where the road comes out now onto Barlow-Two Taverns Road, if opened, is not safe. Atty. Davis said that the Township was trying to avoid vacating a road without all the property owners' signatures. The next step was to get everyone's signature; Danner has not signed. Waybright suggested contacting Danner to see if he will sign. There is also a need for a location for a cul-de-sac. Following additional brief discussion, motion by Chantelau to move forward with the investigation of Long Road and see how much it would cost to put a road in vs. a cul-de-sac due to health, safety and welfare concerns and see if Mr. Danner would donate land to connect with King Road; 2<sup>nd</sup> by Waybright, carried unanimously.

### New Business:

Pedestrian Access Over White Run - Atty. Davis commented that the original plan called for a pedestrian walkway over White Run hanging off the side of the existing bridge. PaDot District #8 says the existing bridge will be removed in 2001, which would also result in the removal of the pedestrian bridge. PaDot would refuse Delancey pedestrian access over White Run. Dedicated pedestrian access will now be on the existing bridge with a barricade. The conditional use decision has been followed. Davis reiterated that the position of the Board (of Supervisors) has always been that highway improvements will be completed prior to occupancy.

Dayhoff commented that the Supervisors have had two "walk throughs" of the site and caught some minor construction flaws which have been taken care of. Inspectors are on the site every day. Gary Freiburger added that there are also two full-time PaDot inspectors.

Mary Taylor asked regarding the walkway over White Run, is there any condition in place where another pedestrian crossing will be put in. Atty. Davis responded that he thought the Board did an excellent job of getting things in PaDot's right-of-way that the Board wanted; once it's in, the Township has no control over it.

Dayhoff has asked PaDot to see the Rt. 97 update plans.

Mud College - Clyde Crouse (one of the owners of the Pleasant Grove School known locally as Mud College) has made an offer to donate the school to the Littlestown Area School District. Littlestown sometimes brings children in for a day to educate them in what a one-room school was like. Dayhoff would like to make an offer for the Township to accept the school if the LASD doesn't accept. This site could possibly be the start of a parks and recreation area for the Township. Following additional brief discussion, motion by Dayhoff to offer to Mr. Crouse the intent to accept the donation of Mud College (Pleasant Grove) School to Mt. Joy Township for the purpose of preserving the historical nature and education purposes in the event that his negotiations with LASD fail to materialize, 2<sup>nd</sup> by Chantelau, carried unanimously.

Meeting adjourned at 9:40 PM.

Respectfully submitted,

Bonnie L. Koontz  
Secretary