

APRIL 18, 2002 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:00 p.m. in the Township Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors Scott, Rogers and Chantelau; Solicitor Walton V. Davis; News Reporter Alex Gayhart (*The Gettysburg Times*); and Secretary Brenda Constable.

Citizens in attendance were: P. Eric Mains of William F. Hill and Associates representing Meadow Brook Golf Course; Eileen Holmes; Henry Reaver Jr., Beverly Boyd representing the Basehoar family; Martin Covington III representing Carroll County Government Stormwater Management Program; Bob Sharrah and Rick Klein representing The Links At Gettysburg; John McAlister; and Jerry Maloney.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Chantelau moved, seconded by Scott, to approve the minutes of the March 21, 2002 meeting with a few typographical errors corrected. Motion carried unanimously.

Chantelau moved, seconded by Scott, to approve the minute of the April 3, 2002 special meeting with a few typographical errors corrected. Motion carried unanimously.

Chairman's Statement:

Chairman Waybright announced that the Supervisors held a meeting on April 3, 2002 with the residents of Long Road to discuss options for the future status of Long Road. Minutes from that meeting are available to the public. The Supervisors are currently waiting on a response from HRG with regard to the options presented.

Public Comment:

1. Beverly Boyd noted that the March 21, 2002 minutes, under Committee Report for Planning, Land Use and Zoning, stated that a public meeting would be held in May with regard to the Comprehensive Plan. She questioned if that was still on schedule. The Supervisors responded no, it is hopeful that it will now be scheduled for June.

Treasurer's Report:

Chantelau moved, seconded by Scott, to approve the Treasurer's Report for March and April as presented. Motion carried unanimously.

Scott moved, seconded by Chantelau, to approve the bills to be paid for March and April as presented. Motion carried unanimously.

Subdivision / Land Development Plans:

1. Meadow Brook Golf Course – preliminary/final land development plan for 3,200 sq. ft. golf cart storage building at the Golf Course along Goulden Road. Eric Mains of William F. Hill and Associates was present on behalf of the owner, Roger Weaver. The Supervisors noted that the Planning Commission had recommended approval, contingent on satisfying all of HRG 13 comments, letter dated April 10,

2002. Since the April 10, 2002 Commission meeting, Mains had addressed all 13 comments, submitted them to HRG, and HRG has now narrowed their comments to four (4). Mains gave an overview of the plan and addressed the final four (4) comments, stating that they can be met with no problem. Comment #1 is to show the drainage divides and drainage areas to the ponds; Comment #2 is to show the overall tract boundary and street widths and right-of-ways; Comment #3 notes that a waiver of preliminary plan approval was requested; and Comment #4 states that all signatures and seals should be provided prior to plan approval.

Scott moved, seconded by Rogers, to approve the Land Development Plan as a preliminary/final, subject to meeting the final four (4) HRG comments. Motion carried unanimously.

2. The Links At Gettysburg/Red Rock Community Phase I – Rick Klein was not yet present so the Supervisors will address this later.

Stormwater Management Presentation:

Chairman Waybright introduced Martin B. Covington III, P.E. of Carroll County, Maryland, Department of Development Review and Stormwater Management Program. Covington gave a slide presentation on a new concept for stormwater management and infiltration systems. The Links At Gettysburg is proposing to use this system in the golf community.

The Links At Gettysburg/Red Rock Community Phase I – preliminary land development/subdivision plan. Due to the complexity of this plan and the many comments received from HRG and the County Planning and Development Office, Rick Klein, owner, and Bob Sharrah reviewed some of the larger issues with regard to HRG's comments (letter dated April 10, 2002). It was noted that the Supervisors have until July 10, 2002 to take action on this plan.

Comment #12: The cul-de-sac for Battery Ridge is substandard. Sharrah responded that the Conditional Use Hearing established that the pavement providing access to these units should be considered an "access drive" rather than "private street". They are requesting a waiver for this cul-de-sac issue.

Comment #20: Sidewalks should be provided on both sides of the streets. Sharrah stated that he is not aware of any language that requires sidewalks on both sides of the streets. He further added that additional sidewalks would produce additional runoff.

Comment #32: Site Data should state the proposed use of the lot, maximum coverage data should be listed, required buffer yards should be listed and shown, zoning data should be verified – perimeter setbacks do not appear accurate for use. Sharrah stated that the ownership is in accordance with condominium law, therefore, the setbacks listed are appropriate.

Comment #48: Curbing is required on private streets. Sharrah explained that the PGC Text Amendment states that curb "may" be used, not "shall". If curbs are installed, it would not negate the benefits of Best Management Practices.

Comment #49: Provide maintenance license area on Battery Ridge roadway. Sharrah is not sure what is meant by "maintenance license area" and will talk to HRG about this.

Sections B, C, D, and E of Comments: Addresses water distribution system, sewer collection system, Martin & Martin Water System, and Martin & Martin/Dutchland WWTP respectively. Sharrah will discuss all of these areas with HRG.

The Supervisors responded to each comment listed above: #12 – Rogers, Waybright and Scott okay with this since an emergency access is at the cul-de-sac. Chantelau is not opposed to this; however, he wants to check the Planned Golf Community sections on this issue first. Comment #20 - consensus is to have sidewalk on one side only; #32 – okay with the setbacks that are already listed; #48 – okay to

not install curbing on this portion of the project; #49 – Sharrah to discuss with HRG to see what exactly they mean by this comment.

Regarding B.C.D. and E., Rick Klein stated that he met with DEP on April 8 and they were thrilled with the Dutchland Plan. He should have the water permit with 25 days. He further stated that he is hopeful to have all issues discussed with HRG and County Planning Commission, and be ready to come to May Planning Commission meeting for preliminary approval.

Road Report:

Rogers moved, seconded by Chantelau, to approve the Road Report as presented. Motion carried unanimously. Chantelau noted that the road crew has been doing a lot of work with the Penn DOT Agility Program.

Building Permit / Zoning Officer's Report:

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

Building & Grounds Report:

Rogers moved, seconded by Chantelau, to approve the Building & Grounds Report as presented. Motion carried unanimously. Chantelau noted that he received information at the PSATS convention with regard to precast concrete walls. He shared this information so that the Building & Grounds coordinator could get cost estimates for the walls on the proposed salt storage shed. Waybright noted that this company is known for building farm silos, they use weaker materials and do not last as long.

Correspondence:

Secretary Constable noted receiving the following correspondence:

- WRRMA minutes for February 2002
- Gettysburg Rec Department minutes for March 2002
- Gettysburg-Adams Chamber of Commerce Newsletter
- SPCA Spring Newsletter
- Mediation Services of Adams County – useful to various municipalities in Adams County as they deal with problems involving residents and their disputes with local government.
- Littlestown YMCA Reach Out For Youth Annual Support Campaign – dollars go towards helping those less fortunate and is provided to youth and families who cannot afford to participate in YMCA activities.

Committee Reports:

Personnel: Chantelau moved, seconded by Waybright, to approve the employment of Donald Himes to the full-time position of Road Worker, effective April 8, 2002, at a rate of \$11.00/hour. Motion carried unanimously.

Rogers moved, seconded by Scott, to approve the employment of James Yingling to a part-time laborer position for the summer, as needed, effective April 22, 2002, at a rate of \$9.00/hour. Motion carried unanimously.

Finance: Rogers moved, seconded by Scott, to approve the participant donations for 2002 as follows:

Gettysburg Recreation Department	\$4,000
Littlestown Recreation Department	\$1,000
Adams County SPCA	\$1,200
Littlestown YMCA	\$1,000
Gettysburg YWCA	\$1,000
Adams County Senior Center	\$1,000
Littlestown Senior Center	\$1,000

Motion carried unanimously.

Scott moved, seconded by Rogers, to approve an increase for employee mileage reimbursement from 32.5 cents per mile to 36.5 cents per mile, effective this date. Motion carried. (It was noted that this was the rate set by the IRS on January 1 for standard business mileage).

Planning, Land Use & Zoning: Scott noted that all information to report was covered in the presentation by Martin Covington and the Building & Grounds Report. Nothing more to add.

Roads: Waybright stated that the only issue was with regard to the status of Long Road and that was discussed earlier. Nothing more to add.

Public Safety: Nothing to report at this time.

Agricultural Land Preservation: The Formulation Committee presented a written report to the Supervisors. Jerry Maloney, member of the committee, reported that a sub-committee is currently working on revising the ranking system.

Announcements:

Secretary Constable announced that the American Red Cross, Adams County Chapter, is looking for RN's and/or LPN's who would be willing to volunteer their help at open shelters for the people of Adams County in the event of a natural disaster. In cooperation with the PA Federal Emergency Management Association, this local chapter has agreed to be an evacuation county for the citizens living near Three Mile Island, in the event of a problem with the nuclear power plant. They have agreements with local churches, school and fire halls to set up shelters.

Other Business:

1. Well Water Ordinance - The Supervisors noted receiving a letter from Thomas Dunchack requesting that they look at developing and putting in force a well water ordinance. This request is due to the new development pressure being applied to the township. Rogers stated that he feels the Township should look into this, adding that it should be standard policy to make sure we have enough water before we build a house. This issue should be discussed at the May Comprehensive Planning Meeting. Chantelau added that the State is moving towards this. Secretary Constable was instructed to send a letter to Mr. Dunchack stating that the Supervisors have taken notice to this issue and plans to incorporate it into the Comprehensive Plan.
2. PSATS Conference Report – Bill Chantelau attended the annual convention of the Pennsylvania State Association of Township Supervisors (PSATS) in Hershey from April 15 – 17, 2002 and gave

comments concerning the workshops he attended. He also noted that Mount Joy Township had submitted a resolution (via the County Association of Township Supervisors) addressing our on-going efforts to fund township level agricultural land preservation programs. After reading our justification to the voting delegates, the resolution was overwhelmingly approved and adopted by the Association. He then suggested that the Township's next step should be to work with Representative Stephen Maitland to draft legislation and submit it to the PSATS legislative committee. The Supervisors agreed and Chantelau stated that he would continue to follow up on this issue.

Chantelau also reported that Department of Environmental Protection (DEP) Secretary Hess addressed the convention speaking about water. A Huntington Township Supervisor asked about a water moratorium to prevent a CAFO from drilling – citizens concerned about water usage. His response was no and he was then asked if his department would consider emergency legislation to temporarily halt the drilling of new wells in counties affected by the Governor's Drought Emergency Declaration. His response was that more data and study was needed. Chantelau recommended to the Supervisors that a letter be sent to Representative Maitland and Senator Punt requesting emergency action be taken. Rogers disagreed. Scott stated that it would depend on how serious the drought was. He couldn't support a letter asking for legislation but would support a query as to what the Governor's Action Committee (GAC) is doing about it or what the next step would be. Rogers added that there are different levels of emergencies and that must be considered. Waybright suggested that a letter be sent asking the GAC to define the different levels of emergency and if they have any plans to do anything, and if so, what are they. It was a consensus of the Board to send a query letter. It was also noted that the Governor has a web site showing a step-by-step plan for drought emergency. Chantelau stated that he would pursue the web site and possibly do a letter as well.

New Business:

1. Ordinance for Holding Tanks – Solicitor Davis gave a brief overview of a property owner in the Township who desires to build on a lot in a commercial area, which lot is probably not suitable for on-site septic disposal. The property owner is requesting a permit for a holding tank. After reviewing DEP regulations, he noted that DEP's general view taken is that commercial uses, which have a flow of less than 800 gallons per day generally, have a right to have a holding tank. However, the Township must have a holding tank ordinance. Without the ordinance, any citizen has a right to challenge the Sewage Facilities Plan.
Scott moved, seconded by Rogers, to instruct Solicitor Davis to draft an ordinance and have it ready for review by the next Supervisors' Meeting. Motion carried unanimously.
2. Junkyard Ordinance – Scott moved, seconded by Rogers, to authorize the Secretary to advertise the Supervisors intent to adopt an Ordinance amending Chapter 58 of the Code, Junk Dealers and Junkyards, changing the license year to July 1 through June 30 and to set the date of May 16, 2002 as the date to adopt said ordinance. Motion carried unanimously.
3. Delancey Gettysburg Associates - An application for a curative amendment to the Conditional Use Decision of May 6, 1998 was received this date from the Delancey Gettysburg Associates, L.P. They are requesting that two-way traffic on Main Street and Market Square driveway in the interior village area of the Gettysburg Factory Stores shall be permitted at all times. This would supersede Section V.A. "Parking Limitation Modification" contained in the decision of the Township dated April 19, 2001. Solicitor Davis stated that Delancey has been in violation of this Conditional Use Decision. The Supervisors must have a hearing within sixty (60) days and a decision must be made by the hundredth (100th) day while they complete their case-in-chief. It was also noted that as of April 15, the Township had notified Delancey that they would not be issued any more permits until this process was initiated.

Chantelau asked if we could still hold up on issuing permits now that we have received the application. Solicitor Davis responded that he would need to talk with the Zoning Officer, but probably not. Waybright questioned if the Supervisors were to change to what Delancey was requesting and the Board says that they were wrong, could the Township prosecute? Davis responded yes. It was the consensus of the Board to set the date of June 5, 2002, at 7:30 p.m. for the Hearing. The Supervisors instructed the Secretary to contact Alicia Wooters, Stenographer, to see if she would be available for that date.

Executive Session:

Board Chairman Waybright called for an Executive Session at 9:23 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors Meeting at 9:30 p.m. this date with the following others in attendance: Supervisors Scott, Rogers, and Chantelau; Solicitor Davis; News Reporter Alex Gayhart; and Secretary Brenda Constable. Citizens were Beverly Boyd; Jerry Althoff; Jerry Maloney; Eileen Holmes; and Henry Reaver.

Solicitor Davis stated that during Executive Session, they discussed an enforcement procedure in general under the Zoning Officer and he gave legal advise. Also discussed was the issue of permits for Delancey. Permits for them and everyone else will be done in the normal method course of business.

Adjournment:

With no further business to come before the Board, Scott moved, seconded by Rogers, to adjourn the Supervisors' meeting at 9:35 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary