

**Mt. Joy Township
Supervisors' Public Hearing Meeting
February 2, 2012
7:15 p.m.**

Ordinance No. 2012-02

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 86 SUBDIVISION AND LAND DEVELOPMENT, SECTION 86-36 OPEN SPACE AND RECREATION AREAS; FEES

Meeting Minutes

Present: Board Chairman - John Gormont; Supervisors - David Updyke, Gilbert Clark, Michael Gearhart, Bradley Trostle;
Solicitor – Susan Smith, Esq.; Secretary/Treasurer - Susan Harbin

11 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
I. Call to Order	Public Hearing Meeting, duly advertised, opened at 7:20 p.m. Chairman John Gormont presiding.	
II. ORDINANCE 2012-02 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 86 SUBDIVISION AND LAND DEVELOPMENT, SECTION 86-36 OPEN SPACE AND RECREATION AREAS; FEES <ul style="list-style-type: none"> • Revisions to delete requirements for open space and for fees in lieu of land and to establish requirements and standards for the provision of recreation lands and facilities. 		
III. Pubic Comments	Opened 7:23 pm No public comments. Closed 7:24 pm	
IV. Recommendations		
A. Mt. Joy Twp. Planning	Recommendations presented:	

<p>Commission</p>	<ol style="list-style-type: none"> 1. Raise threshold for compliance to at least 10 units. 2. Requirement for set-aside for recreation area is excessive, recommend .1 acre for 50 lots or more. 3. Allow use of 50 yr designated flood plains for recreation areas. 4. Concerns about level of expense the developer passes on to the homeowner. 	
<p>B. Adams County Planning Commission</p>	<p>ACPC Comments:</p> <ol style="list-style-type: none"> 1. Is the Twp. within it's enabling authority? 2. Standard for the amount of land to be provided is too rigorous. 	<p>Solicitor's Comments:</p> <ol style="list-style-type: none"> 1. This proposed ordinance requires recreation lands to be provided only within a development for the use and ownership of the development and its residences. The ordinance does not provide for offsite recreational lands, improvements or land reservation, and does not require public dedication. Therefore, the General Comment provided by ACPC does not apply to provisions of this Ordinance. 2. Supervisors will discuss this further.
<p>C. Solicitor's Recommendation to Split Ordinance</p>	<p>Solicitor suggested that this Ordinance is <u>not</u> ready for adoption with respect to the standard, but it <u>is</u> ready for adoption with respect to the elimination of the fees in lieu of Section 86-36.</p>	<ul style="list-style-type: none"> • Mr. Clark noted the importance the ACPC places on having a current Comprehensive Recreation Plan in place before proceeding with any changes. He suggests reviewing and adopting a Recreation Plan. • Mr. Gearhart agrees. • Mr. Trostle agrees with removal of the recreation fees from the Ordinance which are not in compliance with Municipal Code and to continue to review and revise open space and recreation areas.
<p>V. Adoption of Ordinance</p>		<p>Mr. Gormont moved, seconded by Mr. Updyke, to split Ordinance 2012-02 and act on rescinding the fee in lieu of provision in Section 86-36. The remainder of the Ordinance change will be deferred and split off as a separate change moving forward.</p> <p>4 aye – Gormont, Updyke, Gearhart, Trostle</p>

		<p>1 nay - Clark Motion carried.</p> <p>Mr. Updyke moved, seconded by Mr. Trostle, to approve an ordinance rescinding the fee in lieu of provision for the recreation areas. Motion carried unanimously.</p>
<p>VI. Adjourned</p>	<p>Public Meeting adjourned 7:42 pm.</p>	

Respectfully Submitted,



Susan C. Harbin
Secretary/Treasure