

Minutes of the January 14, 2003 Meeting

The meeting was called to order at 7:30 p.m. by Chairman Waybright. Present were all Supervisors, Ron Horton, Henry Heiser, Chief Sease, Carol Merryman, Mike Galassi, Leo Goulden, Rich Eckert, Bob Sharrah, Drew Plunkert, Mr. and Mrs. Gary Klingensmith, Ken Murdock, Mr. and Mrs. William Trott, Dennis Arnold, Bernie Yanetti, David James, Clarence Andrew and reporters from THE GETTYSBURG TIMES and THE EVENING SUN. The meeting was tape recorded.

The Minutes of the previous meeting were approved by motion of Mr. Gregor, seconded by Mr. Bowling and carried.

Chief Sease presented a written and oral report of police activities for 2002 consisting of 1943 total calls, 203 incidents and 1084 citations. He reported that these numbers are right in line with 2001 totals.

Mr. Ken Murdock, General Manager of IESI, a trash hauling company located in Scotland, PA on the old R. A. Bender site, offered a price guarantee for 2003, effective 2/1/03, to Cumberland Township residents of \$10.50 per month for weekly trash pick-up and \$3.50 per month for weekly recycling. He stated that they will begin advertising in THE GETTYSBURG TIMES and will be sending out a letter to all of the township's residents. The township does have a waste hauling contract with Waste Management, but the residents do have the option of who they use for their trash disposal. Mr. Murdock added that they currently serve Arendtsville and Biglerville Boroughs.

At 7:40 p.m., Chairman Waybright adjourned the meeting for an Executive Session to discuss a legal matter.

At 8:10 p.m., Chairman Waybright reconvened the meeting.

Mr. Klingensmith presented a Final Plan for James R. Henry and Harold D. Green. He stated that they wish to purchase .045 acres (a portion of the end of their driveway) from Mr. Green and 25.676 acres from Mr. Henry as a lot addition to the back of their property. There have been two Form B Request for Non-Building Waivers submitted since this is two subdivisions. Mr. Horton reported that the details have been worked out at the Planning Commission and the S.E.O. has signed both Form Bs. **Mr. Shealer made a motion to approve the Final Plan and Form Bs, seconded by Mr. Bowling and carried.**

A Final Plan for Roselawn, Phase III, was the next item on the agenda. The plans have been revised per Mr. Horton's comments and he has prepared a memo for the Board's information. Mr. Horton reported that the Planning Module has not been approved by the Board or by PaDEP. He added that the Township has requested a review from Cumberland Township Authority and Gettysburg Municipal Authority and have not received notification that the designs of either the sewer or water infrastructure is adequate and that appropriate financial security is in place. Mr. Horton also stated that the financial security estimate should be submitted by a professional engineer and he requested that an item be added for the possible damage to existing curb near the proposed water main installation on Pin Oak Lane. The last request is for an NPDES Permit for this phase. Mr. Sharrah reported that an application has been made to the Conservation District to amend the NPDES permit for this phase. Mr. Sharrah also reported that the Planning Module was approved for the Authority's signature as soon as the fees were paid and that money has not yet been received. Mr. Sharrah reported that he will have a professional engineer review and seal the financial security estimate. **Mr. Weikert made a motion to table approval of the plan until all aforementioned comments have been addressed, seconded by Mr. Gregor and carried.**

Mr. Bernie Yanetti, representing Dennis Arnold, reported that Mr. Arnold operates a Used Car Lot and Salvage

Yard at 1661 Chambersburg Road and he has been licensed to operate these businesses since 1982 (copies of current licenses provided.) He stated that Mr. Arnold requested a letter from the township stating that the use is in compliance with the township's ordinances because he wishes to rent it to Koffman Auto Sales and the letter is needed for his state licensing. Mr. Heiser stated that this is an issue for the Zoning Officer, but he was unavailable at the time of the request. Mr. Bower is now available and was present at the meeting. Mr. Bower stated that the question is whether Mr. Arnold's business was there, and has continued in operation, prior to the adoption of the Zoning Ordinance, giving him Non-Conforming status. Mr. Arnold stated that the used car lot has been continuously in business since 1982 with no break. Mr. Bowling confirmed that he believed Mr. Arnold, and his father before him, operated that business prior to the adoption of the Zoning Ordinance. **Mr. Weikert made a motion to authorize Mr. Bower to provide the letter to Mr. Arnold as requested, seconded by Mr. Shealer and carried.**

Mr. William Trott reported that he obtained a building permit for an addition to his son's house. When Mr. Bower was called to inspect the addition for the Certificate of Occupancy, he stated that a certificate could not be issued because it appeared that the addition was a separate dwelling with its own kitchen. Mr. Trott stated that it is only an addition that is attached by a breeze-way. Mr. Gregor asked and the Trotts verified that all of the utilities are shared and everything is in Mr. Trott's son's name. The Board expressed a concern about the additional sewage. Mr. Trott stated that there is no additional sewage because they have been living in their son's house. Mr. Horton stated that he has concerns about the septic system and he will be monitoring the site. Mr. Horton suggested that Mr. Trott ask the Board for a waiver to the requirement for a land development plan since that is what would have been required for the second dwelling. Chairman Waybright suggested that the building permit application be revised to include the number of bathrooms and number of bedrooms. Mr. Horton suggested that a restriction be placed on the Certificate of Occupancy limiting the dwelling to six occupants. The Trotts agreed that this will not be a hardship on them. Mr. Trott requested the waiver from the Board. **Mr. Weikert made a motion to grant Mr. Trott's request for a waiver to the requirement for a land development plan and a Certificate of Occupancy be issued with a notation that the dwelling is limited to six occupants, seconded by Mr. Shealer and carried.**

Mr. David James stated that he was present for the Special Event Permit application for the 140th Re-enactment to be held on the Redding Farm. He reported that the event has been granted Conditional Use approval by the Board. Mr. Gregor verified that a complete application has been received and it has. Mr. Bower has reviewed the application for completeness. **Mr. Weikert made a motion to approve the Special Event Permit for the 140th Reenactment, seconded by Mr. Shealer and carried.**

Mr. Shealer made a motion, seconded by Mr. Weikert and carried to adopt the following Resolution:

RESOLUTION 03-03

A RESOLUTION ESTABLISHING COMPENSATION FOR MEMBERS OF THE TOWNSHIP'S PLANNING COMMISSION OF \$50.00 PER MEETING, PROVIDING THEY ARE IN ATTENDANCE

Mr. Weikert made a motion, seconded by Mr. Shealer and carried to adopt the following Resolution:

RESOLUTION 03-04

A RESOLUTION AMENDING GUIDELINES FOR REIMBURSEMENT OF TRAVEL EXPENSES

Mr. Weikert made a motion, seconded by Mr. Shealer and carried to exonerate J.P. Harris for 2 Per Capita taxes in the amount of \$121.00.

Chairman Waybright reported that the next item on the agenda is a Sewage Facilities Planning Module for Cannon Ridge, Phase I, which consists of 18 units. The entire project is approximately 86 units and is located on Herr's Ridge Road. Cumberland Township Authority has signed the module and it has been reviewed by the County and Township Planning Commissions. It was noted that the Planning Commissions had concerns related to the overall sewer planning needs of the entire subdivision plan. Mr. Goulden also questioned how the stormwater is going to be addressed. Mr. Horton assured him that they will have to comply with the Township's ordinances. Mr. Horton stated that the Planning Module satisfies the Township's Act 537 Plan and public is the proper way for sewer to be addressed at this location. **Mr. Weikert made a motion to approve the Planning Module for Cannon Ridge, Phase I, seconded by Mr. Gregor and carried.**

Mr. Sharrah asked about the status of the Cannon Ridge Plan. He reported that there has been correspondence between S & A's attorney and Mr. Heiser regarding the denial of the plan. Mr. Weikert stated that it is Mr. Heiser's opinion that the plan should be reinstated with conditions and a new ninety-day time clock start. Mr. Horton stated that he feels that S & A Homes needs to make a written request to the Township that their plan be reinstated. This request then needs to be placed on the agendas of the Planning Commission and Supervisors for action. Mr. Weikert stated that he felt that the plan would go back to the Planning Commission after it is reinstated. Mr. Horton stated again that the Planning Commission should have input on the reinstatement of the plan. Mr. Weikert stated that the Supervisors have already agreed that the plan will be reinstated. The Board agreed that a letter needs to come from S & A Homes requesting that the Cannon Ridge Subdivision Plan be reinstated and the plan will move forward from there.

Mr. Horton gave an update on the status of the Belmont Road Bridge. He stated that information is being circulated through the Supervisors' mailboxes regarding the County's request to the PUC for a two-year extension for them to have the bridge replaced. Mr. Horton expressed concerns because the bridge is still not on the County's Transportation Plan, and even if it gets on this year, he is not sure that the bridge can be built by the end of 2004. He reported that the weight limit has been reduced from 8 tons to 3 tons, but with further deterioration occurring, it may be necessary to close the bridge. Mr. Shealer added that the 2001 bridge inspection listed the condition of the bridge as "critical". **Mr. Weikert made a motion to request an interim inspection on April 1, 2003 and if there is further deterioration, make a decision at that time about closing the bridge, seconded by Mr. Shealer and carried.** Mr. Bowling questioned if it is the Township's responsibility to close the bridge or the County's. Mr. Shealer stated that the Township could close the road.

The Manager/Engineer's report was reviewed. Mr. Weikert asked if Palace Drive's road surface is going to be repaired this spring. Mr. Shealer stated that it was to have been done when they poly patched, but it got overlooked. The township will do it themselves this spring. Mr. Horton reported that PennDOT will be doing some timing changes to the traffic light at Herr's Ridge Road and Route 30 to address safety concerns on Thursday, January 23, 2003. The green light on Route 30 heading east will probably be lengthened to help prevent cars from coming over the hill and finding stopped traffic.

The Zoning Officer's report was reviewed.

The Assistant Secretary's report was reviewed. Mrs. Merryman also gave the Supervisors a quote from Bergdale Insurance Agency, Inc. for 1.5 million dollar bonds as requested at the Organizational Meeting. Mrs. Merryman and Mr. Gregor are currently bonded for 1 million and Mr. Horton is bonded for 2 million. The price for everyone to be bonded for 1.5 million is \$3,243.00 and we currently pay \$2,988.00. **Mr. Weikert made a motion to adjust the amount of the bonds to \$1.5 million, seconded by Mr. Gregor and carried.** Mrs. Merryman also presented the Actual Use of State Funds report for signatures. Mrs. Merryman also requested the Board's approval to pay the bill from McCormick, Taylor & Associates for the Zoning Update, in the amount of \$19, 653.69. There had been a question about the bill because the original contract for this work was \$20,000.00 and they have gone over by \$13,000.00. Mr. Gregor stated that he has reviewed the bill and the

extra charges are for extra work done on the Agricultural District that had not been anticipated in the original contract. Mr. Weikert agreed that extra work was done and the Board agreed that the bill should be paid.

Mr. Gregor reported that the Zoning Update Committee will be meeting on Thursday and he is hoping that their work, with the exception of the public meetings, will be done in a couple of more meetings. He hopes that the first public informational meeting will occur sometime in February, followed by a public hearing and then Supervisors' approval.

Mr. Shealer reported that they will be completing the third and final phase of the road name sign replacement and they will need approximately 100 signs. He asked the Board for their guidance on replacing signs at the intersections of State and National Park Service roads, which would require about thirty more signs. The price of the signs is \$14.45 each and it has gone up about \$1.00 (each) from last year's price. Chairman Waybright asked who maintains the signs now. Mr. Bowling stated that he thinks the County initially bought all of the signs and the township installed them and maintains them. Mr. Weikert stated that he thought it was important to have the roads marked where the tourists are traveling. The Board agreed to leave the replacement of these signs at Mr. Shealer's discretion.

The bills were paid. Expenditures for this meeting totaled \$19,151.37 from the General Fund.

There being no further business, the meeting was adjourned at 10:00 p.m. by motion of Mr. Shealer, seconded by Mr. Gregor and carried.

Carol A. Merryman, Asst. Secretary

_____)
_____)
_____) Supervisors
_____)
_____)

