

## Minutes of the February 25, 2003 Meeting

The meeting was called to order at 7:30 p.m. by Chairman Waybright. Present were Supervisors Gregor, Weikert and Bowling. Supervisor Shealer was absent. Also present were: Ron Horton, Henry Heiser, Carol Merryman, Mike Galassi, Jim Paddock, Bob Sharrah, Drew Plunkert, Dan Frey, Bob Wagner, Steve Maddux, Donald Doersom and reporters from THE GETTYSBURG TIMES and EVENING SUN. The meeting was tape recorded.

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

**Mr. Donald Doersom** addressed the Board regarding a drainage problem on the property he owns at 1092 Chambersburg Road. Mr. Doersom reported that he has been having this problem for a while and has talked to the Board before, but he reviewed what has happened there for those Supervisors who were not on the Board at that time. He reported that the problem occurred when Mr. Bachert (new owner of the Gettysburg Airport) began moving fill ground in and made no adjustment to the size of the pipe that carries the water to the existing pond. He did speak to Mr. Bachert about the problem he was causing at that time, but nothing was done. Mr. Doersom reported that when he was the owner of the airport, the ground was low enough that water could flow over the pipe instead of backing up onto the adjoining properties. Now that Mr. Bachert has brought in fill ground to build a road, a dam has been created and the water backs up. He added that the pipe was crushed during construction on the site and that has made the situation even worse (that pipe has since been replaced). Mr. Doersom stated that the back-up is creating a wetlands on his property that was never there before. Mr. Horton reported that he was there this Saturday, when we got at least 1 ½" of rain and he saw no ponding on Mr. Doersom's property. Mr. Horton asked Mr. Doersom if he has a picture of the site taken after July 2002 because the outlet pipe into the pond was caved in and when that outlet pipe was replaced, they lowered the pond about ½ foot and this has made Mr. Doersom's problem subside. Mr. Horton stated that this was agreed upon as an interim step to help the problem without doing a study. He stated that the situation is not perfect, but the situation has been improved. Mr. Doersom also stated that he can not move his trailers because the ground is wet. Mr. Horton stated that there are a lot of factors contributing to the problem, upstream and downstream, and in the future, the Township will have to create storm water districts and assess the property owners who contribute to the problem to correct the problem. Chairman Waybright stated that the Board is aware of the problem and they will keep tabs on it.

**Mr. Jim Paddock** reported that the Adams County Office of Planning and Development is willing to provide an informal review of the proposed Zoning Ordinance at no charge to the Township. He requested that the Township provide them with a copy of the draft and a letter of request. **The Board agreed to provide them with a copy for their review.**

Mr. Bob Wagner presented a **Final Plan for Roselawn, Phase III** for final approval. At the previous meeting it was noted that there were still several things needed for final approval. Mr. Wagner stated that he now has an adequacy letter from Soil Conservation and Mr. Sharrah had presented letters from Gettysburg Municipal Authority and Cumberland Township Authority at the last meeting. Mr. Wagner stated that the financial security includes anything leftover from Phases I and II and the remaining Phase III. Mr. Horton reported that Phase I provided security for most of the improvements for the entire project. The Board has two different financial security amounts in front of them and one includes bonding for the private streets. Mr. Wagner requested that the private streets not have to be included in the amount for financial security. Mr. Horton did also mention that the Sewage Facilities Planning Module has not been approved or sent to PaDEP for their approval. **Mr. Weikert made a motion to approve the bond amount of \$45,650.00, which does not include bonding of the private streets, seconded by Mr. Gregor and carried.** The Board asked Mr. Wagner if it would create a hardship for him if they tabled the plan until they get PaDEP's approval of the Planning

Module. Mr. Wagner stated that it would be a significant hardship because his current financial security expires on March 8, 2003 and he needs to get the new security in place before then and he can't get the financial security from the bank without a final approval. **Mr. Gregor made a motion to approve the Final Plan for Roselawn, Phase III, contingent upon receipt of financial security and PaDEP's approval of the Planning Module, seconded by Mr. Weikert and carried.**

**Barbara Kingsley**, resident of Meadows Drive, explained the request made by herself and several others for a street light. Ms. Kingsley presented pictures and explained that there are no poles on this road because everything is underground. She stated that there is no residual light where their unit is located. There are existing units on the left side of the street that do have pole lamps and dusk to dawn lights in their carports. Their request is for any future units to have pole lamps and this would help light their units. Ms. Kingsley stated that they have spoken to Mr. Hill and he does not intend to provide any street lighting, but she does feel that he set a precedent with the lights on the left side of the road. She added that their street numbers are not on their units either and this would make it very hard for emergency vehicles to find someone. Mr. Heiser stated that he would be willing to speak to Wayne Hill to see if something can be worked out.

The next item on the agenda was a **Resolution to add President's Day** as a holiday for the non-uniformed employees. Mr. Horton recommended that this be considered at a later time since the holiday for this year is over. **The Board agreed to consider this at a later time.**

A **Sewage Facilities Planning Module for Roselawn, Phase III** was the next item on the agenda. Mr. Horton reported that the Township and County Planning Commissions have completed forms 4A and 4B respectively, and the module is complete and ready to go to PaDEP. **Mr. Weikert made a motion to adopt Resolution 03-05 approving the Planning Module for Roselawn, Phase III, seconded by Mr. Bowling and carried.**

The next item was a **Sewage Facilities Planning Module for Camelot Square, Phase II**. Mr. Horton reported that this module has also been reviewed by the Township and County Planning Commissions. He stated that this project has been around for a while and has currently been bought out of bankruptcy by a new developer. Consideration is for the remaining eight units along Herr's Ridge Road. Mr. Horton stated that he feels that the module is complete and ready to go to PaDEP. It was noted that all of the sewer laterals for these eight units come from within the development. **Mr. Weikert made a motion to adopt Resolution 03-06 approving the Planning Module for Camelot Square, Phase II, seconded by Mr. Bowling and carried.**

**Mr. Weikert made a motion to approve advertisement of the 2002 Audit, completed by Stambaugh-Ness, seconded by Gregor and carried.**

Chairman Waybright stated that the next item is a request from Robert A. Sharrah, on behalf of **Patriots Choice, for modifications to the Township's Subdivision and Land Development Ordinance (SALDO)**. Mr. Horton presented a copy of a memo that he prepared, dated February 18, 2003, and he reported that he received more correspondence from Mr. Sharrah today that neither he or the Planning Commission has had a chance to review. Mr. Horton reported that the Planning Commission firmly backed the recommendations in his February 18<sup>th</sup> memo. Mr. Sharrah stated that he feels that the additional correspondence is clarification on the February 18<sup>th</sup> memo rather than additional requests. The Board agreed that Mr. Horton needs time to review the additional correspondence that was just received today. The items in Mr. Horton's February 18<sup>th</sup> memo were reviewed. The modification to the road surface width to 28 feet was previously granted by the Board on 8/13/02. The request for Section 504.3 (Miscellaneous Paragraphs) to allow modifications to basin design as shown on the plan shall be removed from the plan and the exact section and subsection of the SALDO needs to be identified. Section 504.3.C.2.a (1 & 2) relating to the design storms to determine peak rate of runoff should be granted if provisions for achieving water quality requirements as outlined in the Monocacy Study be incorporated in the design. This waiver has been granted in the past for other developments. The last

request is for no setback requirement from wetlands. The SALDO states “no development may be located within fifty (50) feet of any identified wetland or water body.” Mr. Horton stated that the fifty-feet from water bodies is good, but fifty-feet from wetlands might be overkill. He suggested that twenty-feet might be more reasonable. Mr. Sharrah stated that he feels that “development” needs to be further defined. Mr. Horton stated that he feels that “development” means “disturbance”. Mr. Sharrah stated that he has never asked for a modification to this requirement and he feels that is because of the way “development” has been defined. If grading is to be considered “development”, then it creates a hardship and will require a significant project redesign. Mr. Sharrah stated that they are willing to seed the bottom of the basins with wetlands plants to improve the water quality. Mr. Horton stated that there may be areas where they will not be able to meet the twenty-foot setback, but as a trade-off for reducing the setback, he is requesting dedicated strips of land throughout the development to promote a trail friendly subdivision which would connect subdivisions to the east and the west of the project site. There was a lengthy discussion regarding these dedicated strips, especially the one located along the railroad tracks adjoining the Ridgewood subdivision to the west (the Planning Commission suggested that this strip be fifty-foot wide so the trail could meander around trees, rocks etc.) Mr. Plunkert verified that the Township will assume all liability for these dedicated strips. Mr. Horton verified that they would and they have other dedicated strips. Mr. Paddock stated that there is a trail study done for this area and this could serve as a major linkage that would add value to every one of the lots. Mr. Frey questioned value being added because the public will now be walking behind the lots and the strip would have to be dedicated to the Township for their liability and maintenance. Mr. Heiser stated that he would like to discuss this with the Board because of the liability involved. Mr. Gregor stated that he thinks that trails within communities that are safe are great, but they don’t traverse railroad tracks or interstate highways. Mr. Horton stated that this presentation is showing how to connect three existing subdivisions. Mr. Gregor stated that he has a problem with trails. Mr. Horton asked that that be made part of the record. Mr. Bowling stated, for the record, that he has a problem with trails also. Mr. Heiser asked that his recommendation that the Township speak with people who deal with and regulate the railroads also be included in the record. Mr. Sharrah pointed out that there are sidewalks on both sides of the street in this development. Mr. Horton stated that in understanding the goals of the Township, County and other interest groups in the County that this trade off is reasonable. Otherwise, he would back his recommendation of no trails, then enforcing the fifty-foot setback from the wetlands. Mr. Sharrah again requested no setback requirements from the wetlands. Mr. Paddock suggested that some type of right-of-way agreement be negotiated in the event that sometime in the future a trail there would make sense. **Mr. Weikert made a motion to table the request for modifications to the SALDO, seconded by Mr. Gregor and carried.** Mr. Sharrah requested a decision on the setback from the wetlands so that he can continue with the design of the project. Mr. Heiser suggested that the setback from the wetlands be modified to twenty feet unless there is a reasonable basis and justification for the encroachment. Mr. Horton suggested that a ten-foot setback be required and there may still be areas that they will have to work through. Mr. Sharrah stated that they can live with a ten-foot setback from the wetlands, but it can not be connected to the trail issue. **This item will remain on the table until the next meeting.**

Mr. Horton explained that a **Revised Final Plan for Twin Lakes West, Phase II** has been presented to give drainage easements to the Township to fix existing problems in the development. **Mr. Weikert made a motion to approve the Revised Final Plan for Twin Lakes West, Phase II, seconded by Mr. Bowling and carried.**

**A Final Plan for Lots 67 and 68 Twin Lakes West, Phase II, was approved by motion of Mr. Weikert, seconded by Mr. Bowling and carried. The subdivision simply realigns the property line between the two lots and conveys Lot 67A, consisting of .041 acres, from Lot 67 to the adjoining property owners, Ronald and Alice Bower.**

Chairman Waybright stated that the next item on the agenda is the possible **amendment to the 2003 Budget**. When the budget was prepared, the patrolman’s salaries in the Police Department’s budget did not include

one patrolman. Mr. Gregor stated that it was a simple mistake and he would recommend that the budget be amended to balance the budget. Mr. Bowling asked who was missed and it was Sergeant Molloy. **Mr. Weikert made a motion to amend the budget to include the salary of the patrolman that was missed, seconded by Mr. Gregor and carried.**

The Manager/Engineer's report was reviewed. Mr. Horton reported that he has received 222 Park and Rec survey responses back out of the 2,150 that were mailed and there is a meeting of that committee on Thursday night.

The Zoning Officer and Assistant Secretary's reports were reviewed. Mrs. Merryman reported that the balance in the checkbook has fallen below \$200,000.00, but we should receive a check from the Earned Income Tax Collection Agency tomorrow for about \$80,000.00.

Chairman Waybright reported that they met with Mr. Shriner, Road Department employee, on Friday regarding some problems that have recently occurred and they instructed Mr. Horton to draft a letter to Mr. Shriner placing him on a three-month probation period. Mr. Horton presented the draft letter for the Supervisors to review and sign. This letter will be placed in Mr. Shriner's personnel file. Mr. Horton added that his supervisor will keep the Board posted on a monthly basis. Mr. Weikert and Mr. Gregor agreed that another incident should be treated with a stronger action because Mr. Shriner does have a history of problems. Mr. Bowling stated that he feels that someone should have been left with the stranded truck on Plank Road and he knows that these kinds of things are going to happen when you are out on the snow-covered roads. Mr. Bowling reported that Mr. Shriner did a very nice job of widening Blacksmith Shop Road after the big snowfall.

Mr. Bowling also asked when the Road Department started plowing during the last snow. He stated that he had a phone call from an irrate individual who stated that the plow never came through Blacksmith Shop Road until Monday morning. Chairman Waybright stated that they were down his way on Sunday morning, but in Mr. Shealer's absence, that question could not be answered.

The bills were paid. Expenditures for this meeting totaled \$50,999.73 from the General Fund.

There being no further business, the meeting was adjourned at 10:45 p.m. by motion of Mr. Shealer, seconded by Mr. Weikert and carried.

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Carol A. Merryman, Asst. Secretary

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