

Minutes of the May 27, 2008 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairman Gregor. Present were all Supervisors; Solicitor Tom Campbell, Chief Boehs, Flo Ford, Carol Merryman, Tim Knoebel, Bob Sharrah, J. R. Crushong, Bernie Yannetti, Mike Galassi, Elizabeth Wagner, Donald and Linda Yingling, Erin James from the Evening Sun and Scot Pitzer from the Gettysburg Times. The meeting was tape-recorded.

Mr. Shealer made a motion to approve the Minutes of the May 13, 2008 meeting, as presented, seconded by Mrs. Golden and carried.

Mrs. Underwood made a motion to approve the bills list, in the amount of \$78,999.34 from the General Fund, seconded by Mr. Waybright and carried.

No visitors addressed the Board and there was no Old Business.

The first item under New Business was a request from Donald and Linda Yingling (D & L Enterprises) to use a fill site as a replacement septic area for an existing house that is part of a subdivision/land development plan they are proposing on Taneytown Road. Mr. Knoebel reported that the township's S.E.O. has prepared a report dated May 12, 2008 and recommends that it would be acceptable contingent upon the following two conditions: that the fill site be designed and inspected during construction by a soil scientist and the fill site is installed or bonding of the fill site be completed prior to final plan approval. **Mr. Waybright made a motion to approve the request from Donald and Linda Yingling, regarding a fill site, contingent upon the conditions stated in the memo from KPI dated May 12, 2008 seconded by Mr. Shealer and carried.**

Chairman Gregor reported that the Gettysburg Fire Department has submitted applications for two special events permits for a County and a State Fireman's Convention on August 7 – 9, 2008 and September 24 – 27, 2008, respectively. In conjunction with each event, the GFD will be hosting parades. Officer Briggs has been the township's liaison in the planning of these two events. Mrs. Ford added that everyone met to coordinate because the grand opening of the Visitor's Center falls on the same weekend in September. **Mrs. Underwood made a motion to approve the applications from Gettysburg Fire Department for the Fireman's Conventions' parades on August 9th and September 27th, 2008 seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that the John Donmoyer Final Plan is a minor subdivision that does not propose any new building lots. The plan proposes the separation of an apparent commercial use area, with its own well and septic from an apparent residential use, with its own well and septic. The commercial use will consist of 2.258 acres and the residential use will consist of 19.455 acres. Mr. Knoebel also reported that the Planning Commission has recommended the plan and a resolution has been prepared. **Mr. Shealer made a motion to approve the Non-Building Waiver for the John Donmoyer Final Plan seconded by Mrs. Underwood and carried. Mr. Waybright made a motion to adopt Resolution 08-08 Final Plan Approval for John Donmoyer, subject to the conditions noted, seconded by Mrs. Golden and carried.**

Mr. Knoebel reported that the Donald A. Gantz Estate Plan proposes the creation of two lots, one new building lot, from an existing 10.708 acre parcel located in the AR zoning district on Sachs Road. Lot 1 will consist of 4.487 acres and will contain the existing home. Lot 2 is proposed for residential use and will contain 6.221 acres. Mr. Knoebel also reported that the sewage planning for this plan has been approved by the township and PADEP, the Planning Commission has recommended the plan and a resolution has been prepared. **Mrs. Golden made a motion to adopt Resolution 08-09 Final Plan Approval for Donald A. Gantz Estate, subject to the conditions noted, seconded by Mrs. Underwood and carried.**

Mr. Knoebel reported that the Shirley Wagner Final Plan proposes the creation of two lots from an existing 52.74 acre parcel located on Mummasburg Road in the AR zoning district. Lot 1 will consist of 50.74 acres and will remain unimproved. Lot 2 will consist of 2 acres and will contain the existing residence. Mr. Knoebel added that a Non-Building Waiver is needed and that there is an existing shed located on Lot 2 that needs to be removed because it will encroach on the setback. Another condition is the rewording of a note on the plan regarding an easement for the replacement area for the septic system of the existing residence. **Mr. Waybright made a motion to approve the Non-Building Waiver for Shirley Wagner Final Plan seconded by Mrs. Golden and carried. Mrs. Underwood made a motion to adopt Resolution 08-10 Final Plan Approval for Shirley Wagner, subject to conditions noted and a note on the shed removal being added seconded by Mrs. Golden and carried.**

Chairman Gregor reported that the Cumberland Crossings @ The Links Plan is not ready for action and rather a request for extension for the approval of the plan will require action later on the agenda.

Mr. Knoebel reported that the Misty Ridge Preliminary Plan is located on Biglerville Road in the MX zoning district consisting of 10 lots containing various types of units, including 100 elderly residential units, 133 single-family attached units, 30 studio apartments and a Community Building all of which will be constructed in various phases. He added that they will have to come back with Final Plans on each phase before any improvements can be constructed and the plan is pending under the old SALDO. Mr. Knoebel read the four waivers that are being requested on the plan as follows:

- a. 504.3.A.4; To design an overflow system designed to carry the difference between the 100 year and 10 year peak flow rate.
 - b. 504.3.C.13; To provide a stormwater basin with 1% bottom slope.
 - c. 401.4.D; For development to be within 50 feet of identified wetlands.
 - d. 404.11; To allow internal driveway separations of less than forty (40) feet from another driveway on the same property. *This was recommended by the planning commission for lots containing town homes.*
- The date of Township approval of waivers must be shown on the plans.

Mr. Knoebel also went over the conditions noted on his letter dated May 22, 2008 as follows:

1. An approved Erosion Control Plan/NPDES permit is required. (304.B.7&9)
2. Sewage Planning approval is required. (305.3.D.7)
3. A Highway Occupancy Permit will be required to access Biglerville Road. (306.A.6)
4. The owner's acknowledgement needs to be executed. (306.A.2)
5. Review and approval of Gettysburg Municipal Authority is required. Also, it should be demonstrated that adequate water capacity and pressure will be provided. In addition, from review of the water main extension plan, we note the following. (503)
 - a. The Township should consider if provisions for future connection of existing properties on Biglerville Road should be made at the time of construction of the water main extension. The developer should understand that this may be a requirement by the Township.
 - b. A right of way will be required for connection to the water line on Palace Drive. The proposed and existing easements at the end of Palace Drive should be in alignment. Additional right of way width will likely be required to facilitate installation of the water main.
 - c. A PennDOT HOP will be required along Biglerville Road.
6. The developer has been made aware that the Township and Adams County Planning have had concerns on past proposals regarding extension of existing Palace Drive.
7. The following items will need to be addressed prior to final plan/construction drawing submission: (PennDOT or Cumberland Township specifications shall be used for all details).
 - a. Curb underdrains will need to be added in several areas.
 - b. Prior to construction, shop drawings for basin weir and outlet structures must be submitted for final review in conjunction with other submittal requirements.
 - c. Any inconsistencies with endwalls/endwall trash rack details and child proof grate notes on sheet # 24 should be addressed.

- d. The proposed slant curb will need to be replaced with a Township preferred rolled curb in areas to be dedicated. We note that all paving dimensions must measure to the front face of the curb. Details should also include rolled curb inlet tops.

Mr. Knoebel asked the developer's attorney, Bernie Yannetti, to speak to the extension of Palace Drive. Mr. Yannetti explained that the extension of Palace Drive has been explored in the past, but practically, the people who live back there are against having the road extended into this type of development. He explained that there are many different housing types all based on funding and they will have elderly, challenged, low income etc. and he doesn't feel that it would be good planning to join the two developments because they are very different. He added that GMA has given them a verbal commitment for 56 water EDUs for the first phase of the project, the developer's agreement is being drafted and they are prepared to pay for the connections. Mr. Yannetti asked if the connection to Palace Drive is a condition of the approval. Mr. Waybright stated that he felt that the easement should be there just in case it could be done in the future and Mrs. Golden agreed for future traffic concerns. Mr. Yannetti agreed that it would not be a problem to put an easement on the Misty Ridge Plan for a future connection to Palace Drive. Mr. Shealer asked if GMA had indicated that there would be adequate water pressure because of the elevation. The developer's engineer stated that GMA has never indicated that it would be an issue, but then added that they would be using booster pumps in the first phase. **Mrs. Golden made a motion to approve the Misty Ridge Preliminary Plan subject upon the conditions stated in KPI's May 22, 2008 review letter with a change that the applicant will provide an easement on their property towards Palace Drive seconded by Mr. Waybright and carried. Mr. Waybright made a motion to approve the waivers to sections 504.3.A.4, 504.3.C.13, 401.4.D and 404.11 seconded by Mrs. Underwood and carried.**

Mr. Knoebel reported that the Zoning Hearing Board has granted a variance to the setback on the Township's Maintenance Building Land Development Plan and the plan is ready for action. **Mrs. Golden made a motion to approve the Final Plan for the Cumberland Township Maintenance Building seconded by Mrs. Underwood and carried.**

Mrs. Underwood made a motion to approve the request from Rettew, on behalf of Summit Partners, to withdraw the Phase II and III Final Plans for Cambridge Crossings seconded by Mrs. Golden and carried. Mr. Knoebel also mentioned the need for the Township's Solicitor to correspond with the developer regarding their approved Preliminary Plan.

Chairman Gregor reported that the next item is three requests for bond reductions.

Mr. Knoebel reported that HACC/ACNB has requested a full release of financial security, in the amount of \$20,000.00 and the release of their maintenance security, in the amount of \$2,200.00, for their Pervious Overflow Parking Lot project. He added that the project has been inspected and all previous items have been addressed and recommends that the full amount be released. **Mr. Waybright made a motion to approve the request to release the full amount of financial security for HACC/ACNB Parking Lot seconded by Mrs. Golden and carried.**

The next request came from Cumberland Village, Phase 1A, requisition #7. Mr. Knoebel reported that he recommends that \$124,872.00 be released of the remaining \$636,168.50, leaving a balance of \$511,296.50. **Mr. Waybright made a motion to approve the request to release \$124,872.00, leaving a balance of \$511,296.50, seconded by Mrs. Golden and carried.**

The third request comes from Realty Leasing for the Deatricks Commons project. The request from Mr. Sites explains that his bonding is due to expire on June 5, 2008 and the project will be completed on June 1, 2008. Due to the cost of renewing the bonding, he is offering to place \$25,000.00 in escrow, for a period of 6 months,

to cover any minor deficiencies that may result from the engineer's inspection. Mr. Knoebel reported that there are seven items and he concurs with the \$25,000.00 being adequate to cover those items until which time the Township engineer may recommend and the Township Supervisors shall authorize further reduction or release. **Mrs. Underwood made a motion to approve a reduction of the existing letter of credit to an amount of \$25,000.00 and that the letter of credit may be released upon deposit of funds into escrow with the Township Solicitor to be held until such time as the Township Engineer may recommend and the Township Supervisors shall authorize further reduction or release seconded by Mrs. Golden and carried.**

Mr. Waybright made a motion to approve a request for extension from Sharrah Design Group, Inc, on behalf of Wayne and Susan Hill, for approval of their plan until September 1, 2008 seconded by Mr. Shealer and carried.

Mrs. Golden made a motion to approve a request for a 63-day extension from Lake Roeder Hillard & Associates, on behalf of RAK-BLK Ltd. Partnership, for approval of the Cumberland Crossings Plan seconded by Mrs. Underwood and carried. Approval will now be needed by July 30, 2008.

Being no further business, the meeting was adjourned at 7:45 p.m. by motion of Mr. Shealer, seconded by Mr. Waybright and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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