

Cumberland Township Board of Supervisors
Workshop Minutes
March 17, 2011

Chairman Waybright called the workshop to order at 8:30 a.m. Present were all Supervisors; Solicitor Sam Wisner, Manager Ben Thomas, Jr., Engineer Tim Knoebel, Carol Merryman, and Police Chief Boehs. Visitors present were: Carolyn Greaney, Dale Molina, Don Sangirardi, Al Ferranto, Speros Marinos, Bernie Yannetti, Bob Sharrah, Braden Mahley, Dave Maring, Gary Maring, Scot Pitzer from The Gettysburg Times and Tim Prudente from The Evening Sun. The meeting was tape-recorded.

Engineer: Mr. Knoebel reported the following:

1. The Enid Craumer Final Plan is a lot-addition plan located on Hospital Road and the Solicitor is satisfied with the language in the Shared Use and Maintenance Agreement and the plan is ready for the Board's action and is on the meeting agenda. There is also a Non-Building Waiver that needs action. Solicitor Wisner added that a note does need to be added to the plan referencing the shared access language that is to be included in the deed.
2. The developer has completed a portion of Phase I of Misty Ridge located on Biglerville Road and they are trying to establish how much financial security they have to provide to the Township and this is a requirement of their Developer's Agreement along with a cash escrow deposit before they can move forward into the next phase. Mr. Knoebel has prepared a report dated March 16, 2011 and there are a couple of things in their estimate that need to be corrected or updated. The Board should approve Mr. Knoebel's report to go to the developer and this is on the meeting agenda.
3. St. Francis Xavier project has a PennDOT Highway Occupancy Permit application that has to be signed by the Township and there is a report dated March 16, 2011 stating what still needs to be done before the Township can sign the application. The Township does not want to maintain the new guiderail or the new 15" stormdrain pipe because they are in PennDOT's right-of-way and a letter has to be provided to PennDOT along with the application stating the Township's position. The land development plan was approved with conditions in August, 2010 and it has not been signed by the Township. There is also a report dated March 16, 2011 regarding the land development plan. There is a Stormwater Maintenance and Monitoring Agreement that the Township should have and that needs to be recorded along with the plan. A modification to the plan is needed because of a change in the location of the water main along Boyd's School Road in the Township right-of-way just feet away from the newly paved road that the Township does not want to see patched. Initially, the water main was shown in an easement on private property putting the water main back from the pavement but, they are now proposing that they are not going to provide the additional easement and they want to put the water main in the Township's right-of-way placing it 2.5 ft. from the edge of the pavement. Mr. Knoebel stated that now they are dealing with restoration of the road and they have placed two notes on the plan and he is asking that the note includes that the restoration may include full width asphalt overlay over the entire length of the damaged portion of the road. Solicitor Wisner stated that he feels that this a non-substantial change to the plan so it is not a re-approval of the plan just an acknowledgement that a change is being made to the plan. Mr. Thomas stated that there is the possibility of the Township inheriting infrastructure and there is the potential for additional services being required as a result of this project that is tax-exempt and he suggested that the Board authorize a discussion between the Township and St. Francis for a fee in lieu of taxes and this is going to be placed on the meeting agenda.
4. Comfort Suites appears on the draft meeting agenda and they had been alerted to some issues that needed to be addressed on their project and they are preparing as-builts for those items. They have also been asked for a modification to their land development plan because they are not going to build the overflow parking area that was approved on the plan but, a modified land development plan has not been presented. Mr. Sharrah questioned whether a modified land development plan is necessary and Mr. Thomas questioned whether this should be debated with the Board before the staff has a chance to deal with it.

5. Lastly, Mr. Knoebel reported that the developer of Cumberland Village will be attending the April 7, 2011 workshop to discuss upgrades to Herr's Ridge Road.

Mr. Bob Sharrah and Mr. Braden Maley of Summit Homes asked the Board to consider a modification to Section 405.D of the SALDO which limits the slope of a driveway to 5% within 25 ft. of the street right-of-way lines. Mr. Sharrah suggested that the limit be raised to 10%. Mr. Knoebel stated that it had been discussed and they have been making modifications to this in the site grading plan review process under certain circumstances. Mr. Thomas suggested that staff put together a written recommendation for the Board to review.

Mr. Bob Sharrah also presented a site plan for Confederate Woods Animal Hospital. This business wishes to expand but, there is a portion of a public street that would need to be vacated in order for them to do the expansion. Solicitor Wisner pointed out that a non-conforming use cannot expand by more than 50% of the existing structure and a variance will be required. He recommended that the Board could approve the vacation of the public road by agreement and all affected property owners would have to be part of the agreement.

Public Comment:

Mr. Speros Marinos thanked the Police Department and reported that the Cumberland Township Historical Society had their first meeting and Mr. Horner gave several presentations.

Mr. Al Ferranto asked if he could reserve his comments until after the Manager's items are discussed.

Mr. Gary Maring requested a zoning change for 66 acres of his property located at 2199 Taneytown Road. He reported that the property has been in his family since 1741 and he is the 8th generation to own it and he wants to preserve the property in perpetuity through Adams County's Preservation Program and it would help if the property were zoned Agricultural (A). Mr. Maring was informed that the Township has been working on amendments to the zoning ordinance and map and is too far into the process to add his request but, they would be happy to write a letter to Ellen Dayhoff at the county expressing the Board's intention to include Mr. Maring's request in their 2012 zoning amendments.

Manager: Mr. Thomas reported the following:

1. The Township received a letter from Adams County Office of Planning asking for a letter of support for the development of an Adams County Economic Development Plan. The last plan was done in the 1980's. Mr. Ferranto asked to meet with Mr. Thomas regarding this item.
2. The Township also received a letter from Healthy Adams Bicycle/Pedestrian, Inc. supporting the creation of a State Bicycle Route. There will be no expense to the Township and it has been endorsed by Adams County and Gettysburg Borough.
3. A date for a public hearing for the "Proposal for an addition to an Agricultural Security Area" needs to be set and during the May 24th regular meeting at 7:30 p.m. was suggested.
4. Mr. Thomas recommended a change to the campground and mobile home park annual permit to \$10.00 per campsite or mobile home lot and a fee for requests for extensions for subdivision and land development plan approvals of \$100.00.
5. Dr. Kerry Moyer will be submitting the Final Strategic Plan Report by April 26, 2011.
6. The proposed zoning ordinance amendments were presented to the Planning Commission last Thursday and the zoning map is being further clarified. Mr. Thomas will make sure everyone gets a copy of the new map. Mr. Thomas presented a proposed timeline for the amendment process including a Public Open House on May 10th from 4:00 p.m. to 7:30 p.m.
7. Mr. Thomas is asking the Board to authorize a Local Government Open House on May 3, 2011 regarding how local government works. He added that he would like to have road equipment available too.

- 8. The 1996 Bronco driven by Mr. Naugle has been taken off of the road and a committee of Mr. Thomas, Mr. Phiel, Mr. Naugle and Brian Baldwin will be working on finding a replacement and also liquidating the old vehicle.
- 9. The 2010 Census information has been published and the Township grew by 7.8 % to 6,162 residents.
- 10. Mr. Maring's zoning change request was previously discussed.
- 11. The Board wishes to reactivate the Recreation Committee and determine their mission. This will be placed on April's agenda.

Solicitor:

Solicitor Wisner reported that he has received a request from Herr Ridge, Inc. T/A Herr's Tavern to file for the process to exempt them from the amplified music requirements of the Pennsylvania Liquor Control Board (PLCB) and for enforcement of the local ordinance. He added that the Township needs to have a more formal agreement with the applicant than we have had in the past regarding the payment of the Township's expenses with an escrow account be established. The Board agreed that they have set a precedent and they felt that he should move forward with the request and this will be on the meeting agenda.

Committee Reports:

Planning/Zoning – No report.

Public Safety – No report – meeting later today.

Finance Committee – Tax money is starting to come in and we are having regular performance budget reviews.

Park and Rec – No report.

Personnel – Executive Session.

CTA – Solicitor Wisner reported that everything is moving ahead with their refinancing and they will be closing on April 1st.

COG – The next meeting will be held on March 24, 2011. There will be some joint purchasing projects.

ACTPO – No report.

CT411 – Mr. Phiel reported on the kick-off for the 150th Anniversary of the Battle of Gettysburg commencing in Greencastle on April 9th and continuing to Chambersburg, Fairfield and Gettysburg. He encouraged Township residents to attend the events and to be aware of extra traffic and noise that will come along with the activities.

Mr. Dave Maring, Barlow VFD Chief, reported that they added two pieces of equipment because of the bridge closure on Emmitsburg Road to help cover for Greenmount VFD. Mr. Maring also volunteered to bring fire apparatus to the Open House on May 3rd.

At 10:40 a.m., Chairman Waybright adjourned the workshop for an Executive Session to discuss a personnel issue with no report to follow.

Carol A. Merryman, Asst. Secretary

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Approved 4/26/11