

## Minutes of the December 14, 2004 Meeting

The meeting was called to order at 7:30 p.m. by Vice-Chairman Weikert. Present were Supervisors Shealer, Gregor and Bowling, Henry Heiser, Flo McLeish, Vicki Aycok, Carol Merryman, Chief Sease, Mike Galassi, Bob Sharrah, Mr. and Mrs. Lin Kern, Scott Milhimes, Beth Wishard, and Ernest and Tina Havens. Chairman Waybright was absent. The meeting was tape recorded.

**Mr. Gregor made a motion, seconded by Mr. Shealer and carried to approve the Minutes of the November 9 Meeting and Public Hearing.**

Chief Sease presented a written and oral report of police activities for the month of November including 118 complaints, 10 incidents and 241 arrests. He reported that the signs for Adams County Crime Stoppers have been received and will be put up by the Road Department.

Mrs. Beth Wishard of 2686 Emmitsburg Road waged a complaint against the Cumberland Township Police Department. Vice-Chairman Weikert asked Mrs. Wishard to put her complaint in writing and the Public Safety Committee will look into it.

At 7:50 p.m., Vice-Chairman Weikert adjourned the regular meeting for an Executive Session to discuss legal and personnel matters.

At 8:32 p.m. the meeting was reconvened.

Vice-Chairman Weikert stated that a **Conditional Use** hearing was held for **Scott Milhimes** for approval to operate an auto repair garage at his residence on Chambersburg Road. Mr. Milhimes reported that his engineer that is preparing the land development plan for his project has it almost complete. Vice-Chairman Weikert asked Mr. Milhimes if they limit his hours of operation to 8 a.m. to 5:00 p.m. and limit the storage of any vehicle to 30 days, if that would cause a hardship for him. Mr. Milhimes indicated that it would not. **Mr. Bowling made a motion to approve the Conditional Use application for Scott Milhimes for an auto repair business to be operated between the hours of 8:00 a.m. and 5:00 p.m. and with no storage of vehicles on the property for longer than 30 days, seconded by Mr. Gregor and carried.**

Vice-Chairman Weikert reported that a request has been received from **Realty Leasing and Management Company** to release \$32,176.50 from their escrow account for Deatruck Drive. The township's engineer, Tim Knoebel, has inspected the work and recommends that \$24,299.50 be released, with a balance of \$49,857.00 being held to complete the remaining improvements. **Mr. Shealer made a motion to approve the bond reduction for Deatruck Drive, in the amount of \$24,299.50, seconded by Gregor and carried.**

Vice-Chairman Weikert reported that the **2005 Budget** has been tentatively adopted, has been available for public review for the past thirty days and is ready for final adoption. Some highlights of the budget are: total \$1,516,561.00 budget ending the year with a \$71,000 balance, no tax increase, adding a receptionist/clerk position, purchase of a new Police vehicle, \$50,000.00 for a future capital purchase for the Road Department, increase of \$5,000 to be shared with the Barlow, Greenmount and Gettysburg Fire Companies and a 10% increase in donations to the Gettysburg Rec Park, Office for Aging, YWCA and Rescue Mission. Vice-Chairman Weikert thanked the Manager for her work on the budget and for finding extra revenue. **Mr. Gregor made a motion to accept the 2005 Budget as presented, seconded by Mr. Shealer and carried.**

**Mr. Gregor made a motion, seconded by Mr. Shealer and carried to exonerate J.P. Harris for per capita tax in the amount of \$11.00.**

Vice-Chairman Weikert reported that the next several items on the agenda are approvals for subdivision and land development plans and Ms. McLeish has started a new procedure whereby she prepares a specific Resolution to be adopted in conjunction with each plan now approved. He added that the new procedure will keep more detail on the particular approval and the township will work with the developers until everyone becomes accustomed to it.

Mr. and Mrs. Lin Kern were present on behalf of the **Fort Heritage - Lighthouse Chapel Land Development Plan**. Mr. Kern reported that he and his attorney have reviewed the Resolution for Final Plan Approval prepared by Ms. McLeish and asked that several exhibits be attached to the resolution. Ms. McLeish stated that she has no problem with the following attachments being added: Minutes of the July 10, 2001 meeting where conditional approval was given to the plan, an engineer's opinion of cost for a precast concrete extended aeration wastewater treatment facility in the amount of \$108,800.00, an engineer's opinion of cost for financial security in the amount of \$305,524.18 and a copy of an invoice paid for the township's engineer's recent review of the plan in the amount of \$285.00. She added that the body of the Resolution was not changed in any way. Vice-Chairman Weikert verified with the Kerns and they agreed that should public sewer become available they will abandon their private system and connect to the public system. Mr. Kern added that if the Act 537 Plan is approved in the near future, they will go on a holding tank. **Mr. Shealer made a motion, seconded by Mr. Bowling and carried to adopt Resolution 04-09 Final Plan Approval for Fort-Heritage - Lighthouse Chapel Land Development Plan.**

Mr. Sharrah was present on behalf of the **Gary McCray Company Land Development Plan**. Mr. Sharrah reported that he has reviewed the Resolution and some of the conditions have already been met. The Resolution does contain a request for a waiver of Section 401.4.D: development within fifty (50) feet of a wetland or water body. Ms. Aycock reported that Mr. Knoebel does not have a problem with granting that waiver in this case. Mr. Bowling asked if they would be using the same water supply that is used for The Meadows. Mr. Sharrah stated that they could possibly do that, but it may be cumbersome. **Mr. Gregor made a motion, seconded by Mr. Shealer and carried to grant the waiver to Section 401.4.D to permit development within fifty (50) feet of the wetland, as requested.** The Board asked that a condition be added stating that the developer agrees to supply data concerning both the quantity and quality of the water service to be provided. **Mr. Gregor made a motion to adopt Resolution 04-10, as amended, Final Plan Approval for Gary McCray Company, seconded by Mr. Shealer and carried.**

Mr. Sharrah was also present on behalf of a **Lot Addition Final Subdivision Plan for Susan B. Kern**. Mr. Sharrah stated that he has reviewed the Resolution and has no problem with the conditions of approval. It was noted that the requirement for a Non-Building Waiver is included in the Resolution. **Mr. Gregor made a motion, seconded by Mr. Bowling and carried to adopt Resolution 04-11 Final Plan Approval for Susan B. Kern.**

**Mr. Ernest Havens and his daughter-in-law, Mrs. Tina Havens** were present on behalf of a **Preliminary Subdivision Plan** for his property on Ridge Road. They stated that they have not had a chance to review the Resolution. Ms. McLeish explained that the conditions are the same as the comments from the township's engineer and there are two requests for waivers. Ms. Aycock reported that Mr. Knoebel does not support the waiver to approve the plan as a Final Plan. She added that their engineer, Mr. Loss, is meeting with Mr. Knoebel tomorrow to go over the technical issues with the plan. She also noted that there is a Sewage Facilities Planning Module that needs to be approved. Ms. McLeish stated that is part of the Resolution. **Mr. Shealer made a motion to grant the waiver to Section 509.3 to permit the private street to exceed 800 feet in length, seconded by Mr. Gregor and carried. Mr. Shealer also made a motion, seconded by Mr. Gregor and carried to deny the request to approve the plan as a Final Plan. Mr. Gregor made a motion, seconded by Mr. Bowling and carried to adopt Resolution 04-12 Preliminary Plan Approval for Ernest J. Havens.** Mrs. Havens asked Mr. Heiser if he has had a chance to review the agreement binding any future property owners. Mr. Heiser stated that he did get the agreement quite a while ago and he will have to revisit it.

Vice-Chairman Weikert reported that the township had been hoping to move forward with the Sachs Mill Bridge Project utilizing some right-of-way from the National Park Service, but that could not be secured so the project has to be moved back into the right-of-way of the Township road. He added that there is some survey work that needs to be done in conjunction with that and will be paid for from Park and Rec monies. Mr. Bowling asked about the grant from the Park Service and Ms. McLeish stated that the grant money could be used for the engineering of this project. **Mr. Gregor made a motion, seconded by Mr. Shealer and carried to approve KPI to provide the required survey work for the Sachs Mill Bridge Project at an estimated cost of \$6,000.00.**

The next item on the agenda was a request from **Masonry Homes for a release of bond money** being held for the Camelot Square subdivision. Ms. McLeish reported that a berm has been installed and is working to keep run-off away from Messrs. Williams' and Beauchat's properties. The bond amount is \$56,199.00. Mr. Shealer pointed out that Mr. Knoebel has not inspected that improvements. **Mr. Shealer made a motion to table the request for bond release until Mr. Knoebel can inspect the work to ensure that it has been completed in accordance with the approved plan, seconded by Mr. Gregor and carried.**

Vice-Chairman Weikert reported that the township has received a request from **S & A Homes** for an **Occupancy Certificate for Lot 5 in the Cannon Ridge Subdivision**. Mr. Bower indicates in his memo that he feels that Board action is needed because of an agreement regarding issuance of permits and occupancy certificates and the construction of the booster station. Mr. Bower also states in his memo that the driveway has a 12.5 % slope and the SALDO limits the slope to 5%. Ms. McLeish suggested that an as-built survey be required since the grading does not comply with the grading plan. She added that there is little that can be done about it now because the house can not be moved. Ms. McLeish also reported that she, Mr. Heiser and Mr. Patrono developed a Release and Hold Harmless Agreement to be signed by the property owner and S & A Homes in exchange for the Certificate of Occupancy. The agreement discloses to the property owner that they will have a temporary onsite water booster pump to increase the pressure of the water delivered by Gettysburg Municipal Authority (GMA) until such time as a larger offsite booster pump station is available to serve the residents of Cannon Ridge. Mr. Gregor expressed his concerns about the water pressure problem. He stated that it creates an ethical problem for the township, but the problem is really between the developer, homeowner and GMA. He is also concerned about the water pressure at the fire hydrant. Mr. Sharrah stated that the water pressure will be improved by closing the 12" line on Herr's Ridge Road with the 12" line on Route 30. He added that a fire engine would be able to suck more water than there is pressure anyway. He also reported that the design for the booster station is 95% complete and once approved will go to PaDEP for their approval. He stated that he does believe that there is disclosure to the potential homeowners and S & A Homes is footing the entire bill for the booster station. Mr. Bowling suggested that the Fire Department be notified so that extra tankers could be dispatched. **Mr. Shealer made a motion, seconded by Mr. Gregor and carried to approve the Certificate of Occupancy for Lot 5 in Cannon Ridge, 36 Sabre Circle, contingent upon the Release being signed by the homeowner and S & A Homes.**

Mr. Sharrah reported that he made a request for an amendment to the Zoning Map in conjunction with three subdivision plans recently submitted for Clyde Bachert/Gettysburg Airport, the Ayre property and the Hauser/Davis property. Ms. McLeish reported that the Supervisors have to decide if they want to have a public hearing and then the request would go to the County and Township Planning Commissions for their review and comment. Mr. Gregor noted that this information was received at the workshop on Friday, but the Board did not have any time to discuss it. **Mr. Gregor made a motion to table the request, seconded by Mr. Bowling and carried.**

**Mr. Gregor made a motion, seconded by Mr. Shealer and carried to approve a request for extension for the approval of the GNBMF Visitor's Center Land Development Plan until March 31, 2005.**

Ms. McLeish reported that the Sewer Authority approved the two alternative sites being looked at for the location of the pumping station on Baltimore Pike for the GNBMF Visitor's Center. Mr. Bowling stated that he is not in favor of eminent domain of that property and feels that "push comes to shove" the Park Service would put the pump station on the Jack's Pool property.

Ms. McLeish also presented a draft franchise agreement with Adelpia for each Supervisor to review and comment on by January 4, 2005. She stated that the agreement asks for a Basic service tier and a senior citizen discount. She added that Adams County Public TV cannot negotiate with Adelpia and needs to piggyback with the municipalities and they agreed to add their requests as well.

The Zoning officer's Report was reviewed.

The bills were paid. Expenditures for this meeting totaled \$42,557.92 from the General Fund.

**There being no further business, the meeting was adjourned at 10:25 p.m. by motion of Mr. Shealer, seconded by Mr. Gregor and carried.**

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Carol A. Merryman, Asst. Secretary

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