

## **Minutes of the October 28, 2008 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairman Gregor. Present were all Supervisors; Flo Ford, Tom Campbell, Carol Merryman, Chief Boehs, Tim Knoebel, Mike Galassi, Deidre Becker, Mr. Dayhoff, Sam Dayhoff, Rodney Yingling, J. R. Crushong, Bernie Yannetti, 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 September 23, 2008 meeting, as written, seconded by Mrs. Underwood and carried.**

**Mr. Waybright made a motion to approve the bills list in the amount of \$571,864.87 from the General Fund and \$118,258.45 from the State Fund seconded by Mrs. Golden and carried.**

Chief Boehs presented a written and oral report of police activities for the month of September including: 410 complaints, 75 traffic stops, 49 combined arrests and 12,609 patrol miles. He added that they assisted other departments 25 times and were assisted 4 times.

**Mrs. Underwood made a motion seconded by Mr. Waybright and carried to advertise their Intent to Adopt the Scenic Byway Ordinance on November 25, 2008 at 7:00 p.m.** Mrs. Ford reported that this is the final process with the Journey Through Hallowed Ground (JTHG) which will have a National Scenic Byway designation and in order to do that the Journey must first have a State Scenic Byway designation. This ordinance is part of PennDOT's requirement for the State designation. She added that the ordinance regulates billboards along the JTHG and the township's Sign Ordinance already prohibits them in the area of the JTHG. She also reported that Gettysburg Borough is adopting the ordinance and Freedom and Straban Township are considering it, but it will not be a problem if they do not.

Mr. Knoebel reported that Misty Ridge is made up of 10 lots containing varying types of units, including 100 elderly residential units. The development is accessed by Biglerville Road in the MX Zoning District. The plan has preliminary approval and what is on the table tonight is final approval for Phase I which includes the entirety of Misty Ridge Road, which will be dedicated to the township, units 1 – 10 and 91- 133 and associated private parking and roadways and the stormwater management facilities. He added that various waivers were granted during the preliminary approval, approval has been recommended by the Planning Commission and the bond amount has been determined to be \$2,305,385.89. Mr. Knoebel also noted that item 2.D of the Resolution the portion of right-of-way through their property shows a 25 foot right-of-way that should be 33 foot right-of-way and the applicant's legal counsel (Mr. Yannetti) agreed to that change. **Mrs. Golden made a motion to adopt Resolution 08-14 Final Plan Approval for Misty Ridge, Phase I with the conditions as listed seconded by Mrs. Underwood and carried.**

Mr. Knoebel reported that Cambridge Crossings, Phase I (consisting of 42 units) is currently under construction and needed some adjustments to building grades, building sizes and elimination of a retaining wall, that were approved by the Board at the September meeting. He added that he received the revised plan today and it appears that the conditions have been met. He recommended approval subject to the conditions of his October 22, 2008 letter and he will give the plan a thorough review. He also explained that there is no Resolution because that was already done with the first approval and documentation has been provided verifying that the Memorandum of Clarification for Phase II and III has been recorded. **Mrs. Underwood made a motion to approve the amended Cambridge Crossings, Phase I Final Plan subject to the conditions stated in Mr. Knoebel's October 22, 2008 review letter seconded by Mrs. Golden and carried.**

Mr. Knoebel explained that the Deidre Becker Final Plan proposes to create 2 lots (1 new building lot) from an existing +/- 34 acre parcel in the AR Zoning District located along Taneytown Road. The remainder lot (32

acres) will contain the existing home, barn, garage and beauty shop and lot 2 (2 acres) is proposed for residential use. He added that no waivers are needed and the Planning Commission has recommended approval of the plan. He added that a minor revision is needed to the plan to show the extended paving that is required for the driveway and the surveyor has been made aware of that. Mrs. Ford reported that the second sentence under 2.d. needs to be removed. **Mr. Waybright made a motion to approve the Sewage Planning Module seconded by Mr. Shealer and carried. Mr. Shealer made a motion to adopt Resolution 08-15 Final Plan Approval for Deidre Becker subject to the conditions and with the revision to 2.d. removing the second sentence seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that sewage planning approval is needed for a lot owned by Rodney Yingling before there can be any construction on the lot. **Mr. Waybright made a motion to approve the Sewage Planning Module for Rodney Yingling seconded by Mrs. Underwood and carried.**

Chairman Gregor reported that there are three bond reduction requests on the agenda for Cambridge Crossings, Cumberland Village and Jayjyoti Corporation and Mr. Knoebel has prepared recommendations for each request.

Mr. Knoebel reported that the request from Cambridge Crossings is requisition #6 and the request is for a reduction of \$78,096.82 and they have verified that the work is complete and recommend the reduction be granted leaving a balance of \$153,279.58. **Mr. Shealer made a motion seconded by Mrs. Underwood and carried to approve a reduction in the amount of \$78,096.82 leaving a minimum amount of surety of \$153,279.58 as recommended by Mr. Knoebel.**

Mr. Knoebel reported that the next request is from Cumberland Village, Phase 1B and the amount of reduction requested is \$13,822.00 and is requisition #3. He reported that they have verified that the work has been completed and recommend approval subject to their October 28, 2008 report. **Mrs. Golden made a motion to approve the bond reduction in the amount of \$13,822.00 with a minimum surety amount to be retained of \$147,521.60 subject to receipt of Warranty Documentation for Fairplay Road in a form which is acceptable to the Township Solicitor seconded by Mr. Waybright and carried.**

The last request comes from Jayjyoti Corporation for their Comfort Suites project and Mr. Knoebel reported that this is the second request and it is in the amount of \$88,910.00. He added that this is essentially the water and sewer work and they have now provided documentation that this work has been bonded with Gettysburg Municipal Authority and Cumberland Township Authority. He recommended that \$88,910.00 can be released leaving a remaining surety balance of \$116,688.00. **Mr. Waybright made a motion to approve the bond reduction of \$88,910.00 leaving a balance of \$116,688.00 seconded by Mrs. Underwood and carried.**

Chairman Gregor reported that there are six requests for extension on the agenda for GMA Well No. 9, Cannon Ridge, Phase III, The Ridge 2-Lot Subdivision, Cumberland Village, Phase II, The Crossing II and The Crossing I, Phase I Final. He added that the GMA Well No. 9 request is for 120 days and the rest of the requests are for 90 days. Chairman Gregor also suggested that these developers be asked to request longer extensions due to the economic conditions being what they are. **Mrs. Underwood made a motion to grant all extensions, as stated, and to ask the developers to extend the timeframe of their next requests seconded by Mrs. Golden and carried.**

**Four Certificates of Appropriateness for Misty Ridge, Phase I, Seventh Day Adventist Church Fellowship Hall, Darlene Stoner and William A. Shelton were approved by motion of Mr. Waybright, seconded by Mrs. Golden and carried.** All four applications have HARB approval.

Mr. Knoebel reported that the paving work on Boyd's School Road has been completed and C. E. Williams has made a request for full payment in the amount of \$118,258.45. He added that he has prepared a report dated October 22, 2008 that recommends that final payment can be made subject to receipt of a maintenance bond. He

added that the bond has been received and appears to be fine. Solicitor Campbell also acknowledged that the bond appears to be fine with him. **Mr. Shealer made a motion to approve payment to C. E. Williams, in the amount of \$118,258.45, seconded by Mr. Waybright and carried.**

Mrs. Ford reported that a Cease and Desist Order has been issued for a violation in the MX Zoning District to a resident raising fowl and since the receipt of the Order the situation has improved, but the operation has not completely stopped and this has been going on for quite some time. She asked the Board to authorize Solicitor Campbell to begin the citation process. Solicitor Campbell stated that the process starts with a letter from him backing up what the Zoning Officer has already sent, giving the resident a short period of time to correct and remedy the problem, and otherwise file citations which constitute fines possibly for every day that the violation continues. **Mrs. Underwood made a motion to request Solicitor Campbell to proceed with the legal matter in regards to the Zoning issue seconded by Mrs. Golden and carried.**

**Mr. Waybright made a motion seconded by Mrs. Underwood and carried to appoint Clay Barrow and Chuck Reid to the Park and Recreation Board.**

**Mrs. Golden made a motion seconded by Mr. Waybright and carried to change the December 23, 2008 meeting to December 16, 2008. Mr. Waybright also pointed out that would move the workshop to December 11, 2008.** Both changes will need to be advertised.

Mrs. Ford reported that on November 24, 2008 at 7:00 p.m. the Township will be hosting a meeting with Mark Palerino of DCNR to discuss the Peer to Peer Recreation Grant Program that they offer. She added that an initial meeting was held with the School District and there are more municipalities that want to participate so another meeting is being held.

Mrs. Underwood reported that she has spoken with Mr. Shealer about the increase of travel trailers/ RVs on the roadways coming in and out of the campgrounds deteriorating the roadways sooner than anticipated. She added that there is a problem on Ridge Road particularly at night. She questioned if they could be required to use the State detours and this may mean contacting McMahon, the traffic engineers, to see what they might suggest.

The Zoning Officer and Assistant Secretary's reports were reviewed.

**Being no further business, the meeting was adjourned at 7:42 p.m. by motion of Mr. Shealer, seconded by Mrs. Underwood and carried.**

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Carol A. Merryman, Asst. Secretary

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