

**Cumberland Township Board of Supervisors
Minutes of the January 21, 2016 Workshop 8:30 A.M.**

The workshop was called to order at 8:30 a.m. by Chair Underwood. Present were Supervisors: Underwood, Shealer, Waybright, Toddles and Paddock; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel, Superintendent of Roads Chris Walter and Secretary Carol Merryman. Others present were: Jean Stone, Bob Sharrah, Martin Hill, Jim Piet, Attorney Bob McQuaide, Engineer Eric Vranich and several residents from "The Preserves." J.R. Crushong and Ed Jenkins arrived at 8:50 a.m. The meeting was recorded.

Public Comment:

Mrs. Jean Stone, 1745 Mummasburg Road, asked that the projects that Mr. Knoebel will be discussing be placed on the agenda. Mrs. Stone also asked why she has received no response to her July 9, 2015 letter regarding the Keller property; goats being listed on the Nutrient Management Plan and the Vector Management Plan no longer being included in the Nutrient Management Plan. Mrs. Stone also asked if submitting a complaint form will get a response.

Engineer/Plans:

Mr. Knoebel reported that he will be reviewing items that will be on Tuesday night's meeting agenda as follows:

Lincoln Development Group Land Development Plan located along Rt. 30 and adjoining Lincoln Estates Mobile Home Park. The Plan proposes two small storage buildings. The comments have been addressed and the amount of the financial security has been approved. He added that they may still need a PennDOT Highway Occupancy permit, but other than that, the plan should be ready for action.

Misty Ridge Lot 10, consisting of roughly 50 new dwelling units, has requested a reduction in Financial Security. The request is to release about \$460,000.00 and the recommendation will be to release roughly \$448,000.00.

Misty Ridge Lot 5, located at the very end of the site adjoining Palace Drive, proposes four six-unit Studio Apartment buildings. They are currently going through the process with the Planning Commission and Sewer Authority and will not be ready for action on Tuesday.

Mr. Knoebel stated that the technical items have been taken care of for the Cumberland Village Phase 1A and 1B and Cannon Ridge Phase 1 and 2 road dedications and are waiting for the agreements and ordinances to be put in place. Mr. Knoebel recommended that a date be put on the completion of the ADA sidewalk access near the end of Fairplay Road. He stated that everything is worked out; they just ran out of weather to be able to purchase asphalt. Solicitor Wiser stated that both projects are ready on the administrative end to proceed with the dedication process.

Visitors:

Mr. Tom Brado, resident of The Preserves (Cumberland Village) and representative for the Preserves Homeowner's Association (HOA), spoke to the Board regarding two concerns that the HOA has. Mr. Brado also presented their concerns in writing and the developer of the project was present. Mr. Brado explained the first concern for the proposed walkway connecting The Preserves to the adjoining phase. Due to the concerns that the HOA has including the slope and a conservation easement that it passes through, he asked the Township to consider relocating the proposed walkway along Herr's Ridge Road. Solicitor Wiser stated that the Township can only act on a plan and to his knowledge; no revision to the

approved plan has been submitted. Solicitor Wisner added that financial security has been provided for the proposed walkway improvement and cannot be released until the walkway has been completed. Mr. Hill, developer, explained that there are physical constraints that would not allow the walkway to go along the road (including not having road frontage the entire way) and they were required to have a pedestrian route from one end of the property to the other. Mr. Hill stated that he does intend to build the walkway, as shown on the plan, and it will probably be in late 2016. Mr. Brado stated that they would be willing to do a conceptual study of what a walkway would look like between Bittern Drive and Kestrel Drive along Herr's Ridge Road. Mr. Hill stated that he would appreciate seeing that study and give it consideration.

The second concern was the ownership and maintenance of drain pipes and endwalls that carry water from the street system to either swales or the Stormwater Detention Basin. Mr. Brado reported that Mr. Thomas told the HOA that the Township was only responsible for the drain pipes where they are located within the street's right-of-way. Mr. Eric Vranich, engineer, explained where the seven pipes are located within the development and are not in the Township's right-of-way. He added that the HOA believes that each of these pipes is an integral part of the roadway drainage and should be owned and maintained by the Township. Attorney Bob McQuaide reported that there is no reference to the operation and maintenance of drain pipes located in easement areas anywhere in the recorded documents. He added that the Township is equipped to maintain these pipes and the HOA is not. Solicitor Wisner stated that the Township can accept dedication of pipes outside of the right-of-way, but he has seen no notes on the plan indicating that to be the case here. Mr. Knoebel added that there is an agreement establishing that area for drainage and for the maintenance. Solicitor Wisner stated that it is clear that the Township will not own the drain pipes and the matter is between the HOA and the developer.

Mr. J.R. Crushong, representative of Pennsylvania Interfaith Community Programs, Inc., requested two letters from the Township supporting "Old Friends at Misty Ridge, Lot 4", which consists of 50 units of 62+ senior housing in a three-story building. Mr. Crushong explained that they are in the process of submitting a new application to Pennsylvania Housing Finance Agency (PHFA) and need a letter stating that the project complies with the Township's zoning. The second letter is the Township's support of the project and that there is a need for this type of housing in the area. Mr. Crushong added that this is a very competitive application phase and there are 140+ applications going in for the same "pot" of taxpayer monies so it is critical for them to have these letters. Mr. Thomas stated that the Zoning Officer can provide a generic letter regarding the zoning, but he felt that the Board needed to hear from the applicant regarding the need for this type of housing. Mr. Ed Jenkins stated that, nationally, we have a tendency to pocket our poverty in inner cities and part of coming out of poverty is to diversify the income barriers throughout the community. He added that by blending different income structures, they see a different type of lifestyle, and we believe it brings families from one generation to another generation into a better situation and the poverty doesn't transfer from one generation to another generation. He added that they are trying to get back to intergenerational housing so family members can help each other through transitions in their life. Mr. Crushong added that there is a great need for these types of units and they have waiting lists in their other communities. Mr. Jenkins also explained how keeping a senior in their home as long as possible, saves the taxpayers a lot of money. **Mr. Waybright made a motion to provide the letters, as requested, seconded by Mr. Toddes and carried.**

Mr. Naugle reported that he has spoken to Mr. and Mrs. Richard Storm, owners of 1435 Chambersburg Road, 1439 Chambersburg Road and 35 Belmont Road, and they have discovered that the zoning of their properties had been changed in 2003 from Commercial to Residential and there are a couple of businesses located on the properties. Mr. Naugle stated that the Storm's are older in life and want to sell the property sometime in the future. Mr. Naugle added that they did write a letter requesting that the zoning be changed. Mr. Thomas reported that some zoning issues were being looked at about four years ago and this was one of the areas that they wanted to change to make all of the area Mixed-Use (MX.) The Board asked for the list of changes that were previously be reviewed.

Mr. Thomas asked the Board to approve a Snow Emergency Declaration in advance of the impending storm. **Mr. Paddock made a motion to enact the Snow Emergency Declaration seconded by Mr. Waybright and carried.**

At 10:20 a.m. the meeting was adjourned for an Executive Session to discuss personnel matters with no action to follow.

Carol A. Merryman, Secretary

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