

# **January 8, 2008 - Antrim Township Board of Supervisors**

## **MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS**

### **REGULAR MEETING**

**JANUARY 8, 2008 4:30 PM**

The Antrim Township Supervisors held their regular meeting on Tuesday, January 8, 2008, in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Fred Young III, Samuel Miller, Richard Baer, James Byers, Angela Garland, Charles Goetz Jr., John Lisko, Deborah Hoff, Ben Thomas Jr., and Renee Perrin. (Student Representative Kacie Oberholzer did not attend this meeting.)

Chairman Myers called the meeting to order at 4:32 PM. The meeting was opened with prayer followed by the Pledge of Allegiance.

Visitors: See attached sheet

Under public comment, Bob Colodonato questioned the details of a WCN Properties land development plan that was brought before the Antrim Township Planning Commission Monday, January 7, 2008. Mr. Colodonato asks the Supervisors to address public safety issues before approving this land development plan. The Supervisors assured Bob they would do so and directed Zoning Officer Garland to give them on-going updates on this plan.

Paul Schemel expressed his gratitude to Manager Thomas and Utilities Director Charles Goetz for their outstanding efforts and intervention with regards to the Food Lion and Mason Dixon Auto Auction agreement process.

Resolution #64: A Myers/Young motion passed with two votes (Past Supervisor Diffenderfer was the only other Supervisor in attendance; thus these minutes must move forward with simply two votes) to approve as written the minutes of the October 9, 2007 Worksession Meeting minutes.

Resolution #65: A Miller/Byers motion passed with four votes (Past Supervisor Diffenderfer had not attended this meeting; nor was Supervisor Baer in office) to approve as written the minutes of the December 11, 2007 Regular Supervisors meeting.

Resolution #66: A Byers/Young motion passed with three votes (Supervisors Miller and Myers did not attend this meeting) to approve as written the minutes of the December 26, 2007, Special Supervisors meeting.

Resolution #67: A Miller/Byers motion passed with unanimous vote to approve for payment all bills as listed on Treasurer's Reports dated December 31, 2007 and January 8, 2008.

Resident and pending business owner Jeff Matthews addressed the Supervisors with his desire to purchase Nevin's Furniture located at 15021 Molly Pitcher Highway South. Mr. Matthews desires to purchase the property, which includes a house, a furniture business and a fabric shop, and intends to expand the business, but only if the property is in compliance with Township ordinances.

The Supervisors, after discussing with Zoning Officer Garland and Solicitor John Lisko, assured Mr. Jeff Matthews that this property is in compliance and reminded Jeff that should he desire to expand the business, he would need to do a land development plan, and he was understanding of that process and willing to follow that guideline. Matthews was also assured that the variance for the rear setback is still valid.

Employees of Antrim Township were then introduced to the Antrim Township Board of Supervisors.

Tom Mongold, developer of Antrim Meadows, addressed the Supervisors reminding them of his original request to have the word "FINAL" marked off his subdivision/land development plan for Antrim Meadows Phase II as he is not prepared, at this time due to the housing market, to pay all fees involved with obtaining final approval of the Antrim Meadows Phase II plan.

Tom Mongold stated he is still looking for a buyer for this development. There was a lengthy discussion regarding litigation matters that may be an obstacle in moving forward with this development and with the Lift Station that was built to serve this region.

Resolution #68: A Myers/Miller motion passed with unanimous vote to grant Antrim Meadows Phase II a 180-day extension request to allow Solicitor Hoff (Solicitor Lisko recused himself from this case) to research legal avenues to provide Developer Tom Mongold relief from proceeding with this development. When research is complete, Solicitor Hoff will provide written legal guidance to the Antrim Township Board of Supervisors.

Resolution #69: A Miller/Young motion passed with unanimous vote to accept the deed of dedication for Creekwood Drive in the Creekwood Subdivision off Williamsport Pike.

Resolution #70: A Miller/Byers motion passed with unanimous vote to grant a driveway modification request to Calvin and Anita Hess for permission to use one driveway for both a residence at 2878 Buchanan Trail East and a fabric store at 2900 Buchanan Trail East until at such time either property would be sold. When this property is sold a separate driveway will be constructed and a note stating this requirement will be placed on the land development plan and recorded at the courthouse by Antrim Township at Mr. and Mrs. Calvin Hess' expense.

Resolution #71: A Byers/Baer motion passed with unanimous vote to grant a stormwater modification request to WCN Properties, a final land development plan along Hykes Road, to (1) allow the basin bottom be level in lieu of a 1% slope minimum; (2) that the requirement that recharge/infiltration facilities shall not be used as sediment basins at any time, with the following conditions: (a) a construction detail along with written directions of the steps to be taken to convert the sediment basins to stormwater management basins must be provided on the plan; (b) a note must be added to the plan to indicate the soils shall not be compacted during construction of the sediment basins or stormwater management basins; (c) instructions must be added to the plans for retesting infiltration rates prior to conversion to stormwater basins to determine the acceptability of the infiltration rate and steps for soil modification if the resulting infiltration rate is not acceptable; and (3) no geotextile be required in bottom of permanent stormwater basin. This modification was granted on the recommendation of township engineer Dewberry

Goodkind with the conditions as noted above.

Resolution #72: A Miller/Young motion passed with unanimous vote to grant stormwater modification requests to Mountain View Reclamation (Waste Management) as follows: (1) recommend waiving the requirement for vertical profiles of all proposed channels and culverts for this project as sufficient information is provided in the reports and on the plans to construct the channels and culverts; (2) recommend waiving the requirement that easements be provided around all stormwater management facilities with the condition that the designer revise Note #4 on drawing number 78121A-SW15 to read "Antrim Township, or its representative, shall have the right to enter the landfill site for the purpose of monitoring compliance without notice during normal operating hours, and shall have the right to inspect during non-operating hours upon a 24-hours advance notice to the landfill. The Township, or its designated agent, must present proper credentials and sign in at the scale house during normal operating hours at 9446 Letzburg Road prior to entering the site", as written in the request for modification. (3) recommend waiving the requirement of 1 foot of freeboard for the channels that convey flows of 15 cfs or greater as the channels have all been designed to meet the PADEP

requirements for permanent channels; (4) recommend waiving the requirement of easements around all watercourses located within the property as the PA DEP permit for the facility precludes construction within 100 feet of all perennial streams and wetlands; (5) recommend waiving the embankment slope requirement for the existing basins located in Antrim Township on the condition that a representative from the Township inspect the basin embankments for signs of erosion and instability and find that the basins are in adequate operating condition; (6) recommend waiving the clay core and cutoff key trench requirement for the existing basins located in Antrim Township on the condition that a representative from the Township inspect the basin embankments for signs of erosion and instability and find that the basins are in adequate operating condition; (7) and to recommend waiving the requirements of Section 126-10 for this project site as infiltration may “pose a threat to the public health, safety, welfare and the protection of the people of the Municipality, their resources and the environment.”

Resolution #73: A Myers/Byers motion passed with unanimous vote to grant a stormwater management modification request to Ralph W. Tracey for Lot 3, a 2.9382 acre lot totaling 9,360 square feet of proposed impervious area. This is in addition to the previously approved Lots 2 and 3, totaling 4,900 square feet of impervious area which totals 14,260 square feet. This total square feet is still below the allowable 15,000 square feet.

Resolution #74: A Miller/Baer motion passed with unanimous vote to authorize Chairman Myers sign a Stormwater Facilities Maintenance and Monitoring Agreement between J. Lester Myers, Letzburg Road, and Antrim Township, where landowner, his successors and assigns, agrees to construct, maintain, grant permission to Township to inspect, in accordance with terms, on-site stormwater management facilities.

Resolution #75: A Byers/Miller motion passed with unanimous vote to approve a 3-lot subdivision plan along Letzburg Road for J. Lester Myers. The Antrim Township recommended this plan be approved with the comment that an existing barn be removed; however, the Supervisors did not make this a part of their motion.

Resolution #76: A Young/Miller motion passed with unanimous vote to approve a land development plan for Jerr-Dan Corporation along Hykes Road.

Resolution #77: A Miller/Young motion passed with unanimous vote to make effective immediately the following revision to the Guide to Land-Use Permitting in Antrim Township: *“After permit approval, the applicant must provide to the township a copy of an accurate survey signed and sealed by the surveyor. This survey shall be completed as soon as the footers are constructed and before the first story framing or wall construction has begun.-Per Antrim Township Code, Chapter 150-107 F.”*

Resolution #78: A Young/Miller motion passed with unanimous vote for a five minute recess before entering into the advertised stormwater ordinance hearing.

Resolution #79: A Miller/Young motion passed with unanimous vote to reconvene the January 8, 2008, regular Supervisors meeting.

Resolution #80: A Baer/Young motion passed with unanimous vote to recess the regular January 8, 2008, meeting of the Antrim Township Board of Supervisors.

At approximately 6:10 PM, Chairman Myers called to order a public hearing concerning an amendment to stormwater and subdivision/land development chapters of Antrim Township’s Code.

Chairman Myers swore in all persons wishing to testify during this hearing. Zoning Officer Garland explained the ordinance as was before the Supervisors.

Larry Eberly, 11537 Grant Shook Road, Greencastle, expressed concern on the installation details proposed in the ordinance.

Robert Schemmerling, 2909 Conococheague Lane, Greencastle, expressed concern over the 2" sloped grade proposed in this ordinance and has other ways in mind for areas with curbing.

Dominick Perini, 13601 Paradise Church Road, Hagerstown, 21740, stated grates should be angled so that bicycles do not get caught.

The Supervisors heard all comments, received Roadmaster Barnett's thoughts, and Manager Thomas proposed the Supervisors proceed with this ordinance striking out Sections 2 and 4 and passing Sections 1 and 3.

The Supervisors reconvened the regular meeting of the Antrim Township Board of Supervisors for January 8, 2008.

Resolution #81: A Young/Miller motion passed with unanimous vote to accept **Ordinance #310** Sections One and Three, striking Sections Two and Four, amending the Antrim Township Stormwater Chapter and Subdivision Land Development Chapter of the Code of the Township of Antrim.

Resolution #82: A Miller/Baer motion passed with unanimous vote to grant a sewer waiver request from connecting to public sewer a "soon-to-be-submitted" land development plan to Horstdale Farms, 12286 Hollowell Church Road, Greencastle, based on Horstdale Farms signing an agreement with the Antrim Township Municipal Authority noting that any future land development be required to connect to public sewer.

Resolution #83: A Miller/Byers motion passed with unanimous vote to adopt non-building sewage facilities planning modules for Hollowell Brethren In Christ Church, Hollowell Church Road/Leitersburg Road, and for McClanahan Estate, a land development plan along Hollowell Church Road.

TravelCenters of America has requested a sewer utility billing adjustment as a water leak was discovered on one of the outside faucets located on a diesel island at this location. This was requested as this water never entered the Township's sewer system. The original invoice was \$9290.40 and past four quarters history of the TravelCenters charges averaged \$1556.10. It is proposed to adjust the amount of this bill to \$1556.10. Travel Centers asks Antrim Township that the paid utility bill of \$9290.40 be applied to future utility billings.

Resolution #84: A Young/Miller motion passed with unanimous vote to authorize an adjustment be made to the quarterly sewer use charge invoiced December 31, 2007, Account #1573 to TravelCenters of America from the \$9290.40 to the average of \$1556.10, allowing TravelCenters future sewer utility bills be applied to the \$9290.40 already received.

Manager Thomas reported to the Supervisors PennDOT's responses to requests for various road studies. Regarding a right turn lane request on US11 at the intersection of Commerce Avenue, it was determined that traffic volumes and roadway design do not warrant an addition of a right turn lane.

The interchange of Interstate 81 and PA SR0016 is currently under final design by PennDOT. This project is scheduled to be let for construction in the summer of 2008, helping with heavy truck traffic exiting northbound Interstate 81 onto PA SR0016 at Exit 5 and entering John Wayne Drive.

Based on the traffic engineering and safety study, warrants for a "School Bus Stop Ahead" sign on Buchanan Trail East (SR0016) in Shady Grove as the measured sight distance exceeded the 500 feet minimum, thus not warranting signs.

Manager Thomas announced an upcoming meeting scheduled for Wednesday, January 16, with PA Department of Environmental Protection regarding recycling efforts requiring municipalities be more involved with yard waste, tree debris, etc.

A Road Inspection Worksession meeting involving all Supervisors, Township Manager, and Roadmaster will be advertised and held Saturday, January 26, 2008, at 7:30 AM. The group will meet at the Antrim Township Municipal Building, 10655 Antrim Church Road, and will drive to inspect various township roads.

State Representative Todd Rock announced a proposed financial commitment from Waste Management for an engineering study of the intersection of Routes 11 and 16. Representative Rock is still seeking funding from both the Borough of Greencastle and Antrim Township.

Resolution #85: A Miller/Young motion passed with unanimous vote to move forward with a redesign request of Engineer Martin & Martin of the shared use pathway if one last effort on the part of Manager Thomas fails to attain the last-to-be-contacted resident for signing the waiver of rights-of-way paperwork.

Chairman Myers and Vice Chairman Young read The Antrim Township Supervisors Promissory Pledge of Service to the Citizens. The Supervisors will post this document in the Municipal Building as well as on the Antrim Township website as a commitment to residents.

Manager Thomas announced that he has distributed the Waste Management Landfill agreement noting Waste Management's monetary contribution commitments to Antrim Township. This is an answer to Supervisor Miller as he expressed interest in knowing the amount of money Antrim Township receives from Waste Management.

Resident Bob Colodonato thanked the Supervisors for pledging their integrity, respect and ingenuity to the residents of Antrim Township.

David Minnich expressed concern over his notification today that the Todd Auto Body Zoning Hearing has been continued until February, 2008, regarding a Solicitor conflict.

Chairman Myers called for an Executive Session at 6:58 PM. The Executive Session adjourned at 7:12 PM. Solicitor Lisko reported that during the Executive Session, the Supervisors discussed the Todd Zoning Hearing Board appeal.

All agenda items addressed, the Supervisors meeting adjourned at 7:13 PM.

Respectfully submitted,

Secretary