

# **June 12, 2012 - Antrim Township Board of Supervisors**

## **Minutes of the Antrim Township Supervisors**

### **Regular Meeting / Hearing**

**June 12, 2012 7:00 PM**

The Antrim Township Board of Supervisors met Tuesday, June 12, 2012, at 7:00 PM, in the Antrim Township Municipal Building located at 10655 Antrim Church Road. The following Board members were present: Chairman Fred Young, Vice Chairman Rick Baer, John Alleman, and Pat Heraty. (James Byers absent). Others in attendance included Sylvia House (Zoning/Code Enforcement Officer), John Lisko (Solicitor), Brad Graham (Administrator), Jennifer Becknell (Secretary) and Lorraine Armstrong (Student Representative).

Visitors: See attached sign-in sheet

Chairman Young called the meeting to order at 7:04 PM, and reminded the audience that these proceedings are recorded.

The meeting opened with prayer by Young, followed by the Pledge of Allegiance.

The floor was opened to public comment. John Thomas, 9910 Thompson Drive, a softball coach, came forward to report a concern he had about the ponding of rain water behind home plate at our Antrim Township Community Park ball fields, specifically fields 1, 2, and 4. Thomas would like Antrim Township to address this problem urgently, as games are due to be played the following day and made a recommendation consisting of digging holes filled with crush and run. Chairman Young asked Brad Graham to call Thomas directly the next day to come up with a short term solution.

A Heraty / Baer motion passed 4-0 to approve the May, 29, 2012 regular minutes as written.

A Heraty / Alleman motion passed 4-0 to authorize the payment of all bills listed on the Treasurer's Report of June 8, 2012.

A Baer / Heraty motion passed 4-0 to authorize the Chairman (Young) to sign an agreement for the Exit 3 Properties amending the storm water system for this plan.

A Heraty / Alleman motion passed 4-0 to authorize Chairman (Young) to sign the Antrim Commons Lot 10 Standard Storm Water Maintenance and Monitoring Agreement.

A Heraty / Baer motion passed 4-0 granting a 180-day extension to Greens of Greencastle Phase VI. The ATPC (Antrim Township Planning Commission) recommended granting this extension to allow the developer time to address storm water with DEP (Department of Environmental Protection).

An Alleman / Heraty motion passed 4-0 conditionally approving the Antrim Commons Business Park, Lot 10, 1 Lot Subdivision Land Development Plan upon receipt of their financial security. The repair and improvement charge shall be paid at time of land development.

A Baer / Heraty motion passed 4-0 approving the Lynn A. Petersheim lot addition on Coseytown Road.

A Heraty / Alleman motion passed 4-0 approving the Thomas and Pearl Statler 2 lot subdivision plan on Enoch Brown Road.

A Baer / Alleman motion passed 4-0 granting authorization to send to DEP the Thomas and Pearl Statler's RFPW-NBD (Request from Planning Waiver-Non Building Declaration).

No action was taken on the Rt 11 / Hykes Road traffic signal, as Brad Graham has not heard or

received anything new from Norfolk Southern.

A Baer / Heraty motion passed 4-0 approving a letter to be sent from Antrim Township to PennDOT, again asking them to shave down the hump along Williamsport Pike at the Hykes Road intersection. ATPC made this recommendation based on what was done on route 416 in Montgomery Township. Also, Brad Graham has added this location to the list for RPO (Rural Planning Organization) to review as a possible site to assist.

A Baer / Heraty motion passed 4-0 authorizing Zoning Officer House to file charges with the District Justice for property at 518 Hilltop Circle for the vehicle without proper licensing.

A Baer / Alleman motion passed 4-0 releasing Dennis Rife's Letter of Credit, number 9-2011, in the amount of \$50,000.00, as all the improvements have been made.

A Heraty / Baer motion passed 4-0 to accept the renewal of Ron/Gene Ridge Road's Letter of Credit, number 618, in the same amount of \$18,117.00. The certification from the bank shall be received no later than noon on July 9, 2012, or staff shall be authorized to draw the LOC.

Graham tabled discussion of Norfolk Southern overpass on Hykes Rd., as sited earlier in meeting, due to no response yet from Norfolk Southern.

Graham tabled discussion on the Franklin County Drug Task Force, as he is waiting for more information from outside parties before addressing the issue.

Graham announced, as requested by our Board of Supervisors, that we are going to have an Intergovernmental Meeting in September, 2012. This will be with ATBOS (Antrim Township Board of Supervisors), Greencastle School Board and the Greencastle Borough Council. It is intended to be held twice a year and set for March and September. The meeting will need to be advertised. The BOS directed that each entity should take turns setting the agenda.

Graham announced that the Building Renovation Committee will be meeting soon to discuss the needs of our Antrim Township Municipal Building, and the use of the vacated office space off the main lobby.

Graham announced that at our next Board of Supervisor meeting set for June 26, 2012, the ordinance review meeting will be listed as an agenda item and covered within the same BOS regular meeting.

Young / Heraty motion passed 4-0 to allow the Barr Farms the option to renew their LOC (Letter of Credit), which is due to expire on June 17, 2012, for either a year or six months, pending what the bank will accept.

Young announced at 7:27 that the hearing must start at 7:30. Young asked if there were any other concerns from the visitors (not related to hearing). Bob Coladonato commented that when the Building Committee meets for discussion of future planning, some consideration be given for the files/records of the ATMA (Antrim Township Municipal Authority).

A Heraty / Alleman motion passed 4-0 to recess the regular meeting at 7:30 PM.

Young called to order the Public Hearing, at 7:30 PM, for the purpose of hearing testimony for a zoning change on property owned by Wesley J. and Annie E. Martin. This property is now zoned as low density residential (R1) and is being requested to be zoned as Highway Commercial (HC).

Young asked all persons present that wished to testify or offer comment concerning the matter of this hearing to please stand and raise their right hand to be sworn in. Young asked, "Do you swear or affirm to tell the truth, the whole truth and nothing but the truth?" They all confirmed with "I do".

Joe McDowell, an engineer at Martin and Martin, spoke on behalf of Wesley and Annie Martin. Mr. and Mrs. Martin want to rezone 5.29 acres at the rear of the existing facility at JLG located along Molly

Pitcher Hwy. McDowell stated their intention is to add this 5.29 acres to the property where JLG now sits, which is owned by FCADC (Franklin County Area Development Cooperation). McDowell stated that the rezoning would be the first step in a three (3) step process. The second step would be a subdivision plan which would add this lot to the JLG property. The third step would be a Land Development Plan. McDowell asked if there were any questions from the Board of Supervisors.

Alleman asked if there were any intended uses for the new property.

McDowell responded that the new property would become a Research and Development facility for JLG. This would allow for more jobs to be brought in. The site would include open areas, some gravel and some paved. McDowell said they would comply with the standards for the Highway Commercial District.

Alleman asked if there were any plans to add additional shift work.

Karl Petrie, Facility Manager at JLG Industries, gave testimony that right now it is a one shift operation, but cannot foresee what the future may hold for this location.

Alleman expressed concern about intercom noise and light pollution as he lives three blocks away from the site.

Andrew Burch, 152 Hykes Rd. East, stated that he is one of five neighbors whose property at Cedar Brook backs up to the property being considered for rezoning. His concerns are about the destruction of tranquility that this natural area provides to his family after work. Also, he says this area is naturally very wet and that his sump pump runs almost continuously now. Birch worries where all the displaced water from paving and building will go.

Darren Pitsnogle, 140 Hykes Rd. East, states that he lives right next to the existing fence of the JLG property. His concern is with the noise from alarms and light invading his property from the JLG outside lighting. Pitsnogle also worries about the drainage of water through the area behind his house. He testified that his sump pump runs an exceptional amount now.

Brian Stone, 347 Prospect Ave. Ext., has owned their property since 1996 and does not want to see this green area destroyed. He hunts there and has a seasonal pond. He believes the natural area will be compromised during construction once rezoned.

Brad Grosskreutz, 194 Hykes Rd. East, has lived at his location for five years. His decision to buy this lot was because of the large backyard and the view it provided. His family can hear the forklift beeping even though they live the farthest away. He feels the noise will only get worse for them in the future when more activity takes place at JLG due to the rezoning.

Andy Thomas, 166 Hykes Rd., East, has lived at this location for nine (9) years. He does not wish for the rezoning proposal to come to fruition at all and states that he is opposed to this rezoning. He bought his lot for the view and does not want it destroyed.

John Frick, 182 Hykes Rd., East, has lived there since 1995. He is concerned about destroying the view of nature from his site and the impending noise from development. Frick worries that crime might increase in the area due to increased traffic and increased equipment on site. He also fears a reduction in property value. He asked the Board of Supervisors to explain the ordinance on Land Development.

Young responded that JLG would have to make accommodations for storm water management, meaning JLG cannot add any more storm water issues.

Bob Coladonato, 184 Rocky Fountain Drive, stated that our Antrim Township Comprehensive Plan was just completed and does not feel that the rezoning of this land from R1 to Commercial fits into the plan.

Sylvia House, Zoning Officer, stated that all development plans become public knowledge once

submitted to the township. The plans are listed on our website and can be viewed in person by stopping by the office. She testified that she has met with JLG and they are willing to divert storm water away from the homes and leave natural areas, in order to be “good neighbors” to the community.

House further testified that both the Franklin County Planning Commission and the Antrim Township Planning Commission have both recommended the zoning change. The request is inline with our comprehensive plan. She stated that the concerns heard are not for what is going “on” the site, but rather the look/sound of the site and JLG is willing to work toward minimizing all the mentioned negative concerns.

Young addressed the crowd about their over-all concerns. Young asked some further detailed questions and also made a detailed request for the fencing to provide a barrier that would be appealing, a noise buffer, give privacy and security.

Karl Petrie stated the desire for JLG is to leave green space and the placement of shrubbery/trees on the neighbor’s side of the fence. Petrie says their overall intention is to leave the site as natural as possible and give great care to the waterway on the site.

Joe McDowell stated that the site is not in the flood plane, no one is at the plant from 6:00 PM to 5:30 AM, it is secured, they have taken out the intercom system, will make sure that property is not a “wet-land” site, and they (JLG) will use more of a down lighting (where the lights point down and inward).

A Heraty / Baer motion passed 4-0 to adjourn the hearing at 8:07.

A Heraty / Baer motion passed 4-0 to reconvene the regular meeting at 8:07.

Lisko stated that a decision did not have to be made this night, as Heraty would like the opportunity to view the site from both the neighbor side and the business side.

Lisko cautioned the Board members that when they go out to visit, only two at a time and not to allow anyone to speak to them on these visits. They cannot hear any more input from the neighbors, nor the businesses, outside of the hearing. Lisko said Antrim Township BOS can have up to 90 days to make their decision and re-advertise for the announcement. Lisko went on to state that zoning decisions are at the total discretion of the Board members to decide what is in the best interest of the community as a whole. There is no requirement to rezone or not rezone.

Young announced that the Board would not be making a decision on the rezoning tonight.

A Heraty / Alleman motion passed 4-0 to adjourn to Executive Session at 8:16 PM.

A Baer / Heraty motion passed 4-0 to adjourn the Executive Session at 9:01 PM, back to the regular meeting, stating that potential litigation and possible purchase of real estate were discussed.

A Baer / Heraty motion passed 4-0 to adjourn the Regular meeting at 9:03 PM.

Respectfully submitted,

Jennifer Becknell, Board of Supervisors Secretary