

# **June 10, 2008 - Antrim Township Board of Supervisors**

## **ANTRIM TOWNSHIP SUPERVISORS**

### **REGULAR MEETING**

**JUNE 10, 2008 5:00 PM**

The Antrim Township Supervisors held their regular meeting on Tuesday, June 10, 2008, in the Antrim Township Municipal Building boardroom, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Fred Young III, Samuel Miller, Richard Baer, James Byers, Angela Garland, Deborah Hoff, Charles Goetz Jr., Eileen Strausner, Ben Thomas Jr., John Lisko and Renee Perrin.

Visitors: See Attached List

Chairman Myers called the meeting to order at 5:02 PM. The meeting was opened with prayer followed by the Pledge of Allegiance.

There was no public comment.

Resolution #282: A Byers/Baer motion passed with unanimous vote to approve as written the minutes of the Antrim Township Supervisors Worksession of May 20, 2008, and the Antrim Township Supervisors Regular meeting of May 27, 2008.

Resolution #283: A Myers/Baer motion passed with four votes (Supervisor Byers abstained as he did not attend this meeting) to approve as written the minutes of the Joint Meeting of the Antrim Township Board of Supervisors and the Greencastle-Antrim School Board held May 29, 2008.

Questions were asked concerning several charges on the invoice check register prior to the Supervisors approving for payment all checks listed on the Treasurer's Reports.

Resolution #284: A Baer/Byers motion passed with unanimous vote to approve for payment all bills as listed on the May 31, 2008, and June 10, 2008, Treasurer's Reports.

Smith Elliott Kearns & Company Certified Public Accountant Auditors Craig Witmer and Kevin Stouffer presented the 2007 Audit and Financial Reports to the Board of Supervisors. Kevin Stouffer gave a brief overview of the report giving an "unqualified audited opinion" which, according to Stouffer, is the best you can receive and Craig Witmer reviewed the Management Letter noting two findings throughout the audit and Budget Comparisons via a power point presentation.

Resolution #285: A Byers/Young motion passed with unanimous vote to recess the regular June 10, 2008, meeting of the Antrim Township Board of Supervisors.

At approximately 5:40 PM, Chairman Myers called to order the hearing to hear testimony concerning a zoning change requested by WCN Properties for property along Hykes Road. All those wishing to testify were sworn in.

Additionally, Zoning Officer Garland noted that within this proposed ordinance change is an amendment to the screening section of our current ordinance.

Lance Kegerreis and Bucky Zeger of Dennis Black Engineering, and Ryan Johnston of WCN Properties, gave an overview of their request to have a part, approximately 30-35 acres, of the former Shuck Farm along Hykes Road rezoned from R-2 Residential to Industrial Zone as there is an approximately 45 acre parcel along and on the other side of the railroad currently zoned Industrial.

Mr. Kegerreis noted WCN Properties has worked with other municipalities in Franklin County with the

same type of request that they are bringing to Antrim Township tonight and WCN is very familiar with the municipality process. WCN's interest in this property is related to the rail service and this is the main reason why this property purchase was made in 2002.

It was announced the Antrim Township Planning Commission did not recommend this zoning change request due to the truck traffic passing through a residential community towards both SR0011 and Williamsport Pike. To aid ill effects of this concern and in order to move the trucks from I-81's State Line exit/entrance to this proposed zoning change parcel, the drivers would be requested to use Greenmount Road to Hykes Road from Jerr-Dan to the current property and from the proposed zoning change site to I-81 reversed.

WCN's method of routing the truck traffic would be through signage and education that would direct drivers to the quickest, safest, and most direct path to and from I-81.

Mr. Kegerreis noted there have been conversations with Antrim Township and Jerr-Dan re: shifting the traffic pattern to the east from the edge of the facility and improving turning radius and the developer rebuilding Greenmount Road and a portion of Hykes Road.

WCN has done road rebuilding in Guilford Township as the rural roads were in poor condition before new facilities were built and the roads are now greatly improved. WCN plans to do the same type of improvements to Antrim Township roads.

The change from R-2 to Industrial Zoning would promote economic development, create jobs, generate increased tax base for the school district. This property is currently zoned R-2 which is maximum density for housing, and when built out, may burden our school district.

On one side of the rail, property is zoned Industrial with the other side zoned R-2. At this time, both sides cannot use rail, thus WCN respectfully requests this 35 acre parcel to be changed from R-2 to Industrial Zoning.

Supervisor Miller stated the residents wish to know what type of businesses plan to rent these proposed buildings. WCN's Ryan Johnston could only speak of the types of products housed in other locations. Immediate availability for marketing is key; thus bulk storage and durable materials are the most common uses. There is no way to

determine today exactly what would be stored here in the future. Upon building completion, there was concern over hazardous materials. It very well may be aerosol products; however, insurance companies would not allow any more hazardous materials than that.

WCN is requesting the rezoning of 35 acres of the total 80 acres with railroad frontage. The use of rail cars actually takes tractor trailer trucks off the road as one railcar compares to three tractor trailers, as noted by WCN's representative Johnston. This warehouse could be looking at one hundred trucks in/out daily.

Supervisors desire specific concrete assurances, but WCN cannot give concrete assurances that trucks will not travel Hykes Road toward Williamsport Road/SR0011. WCN will cooperate with Township to legally use all available police measures, will communicate with end user to make their proposed route most desirable, and offer severe consequences for truck traffic using the least-preferred roads.

It was suggested that improvements be made on both ends of Hykes Road by the developer. In Antrim Township, there are several roads with weight limits for trucks and the Township would need to do a traffic study to put a weight classification on a road, if desired and warranted.

Supervisor Fred Young questioned WCN on the noise this proposed Industrial use would bring as there are residential developments on both sides of this parcel; what about train noise, truck traffic, etc? Mr.

Kegerreis noted train cars idling will create less noise than trains running wide open at 30 MPH, as currently happens. Concerning the building structure, due to grading, the first floor will need to be railroad grade and on the eastern side there will be a fifteen foot cut - the entire facility will set down and placement be dictated by the grade of the railroad.

Zoning Officer Garland reminded the Supervisors that performance standards will have to be followed and adhered to for Industrial Property per Antrim Township code. Rezoning must comply with existing requirements. Solicitor Lisko reminded the Supervisors that this rezoning request is a matter of legislative direction - it can be rejected for any or all reasons above.

Once a property is rezoned, any business allowed in the Industrial zone as set forth in the ordinance may be brought to this area. This is not a conditional use hearing. A reminder was given to Supervisor Young's noise concerns that buffers for light and noise are a zoning requirement.

Supervisor Myers questioned whether we could require that a warehouse be built aesthetically pleasing? Also, could the traffic possibly be routed behind Jerr-Dan onto Greenmount Road. Supervisor Miller stated he spoke to the farmers living along Hykes Road and they would rather have this land zoned Industrial than residential.

Residents offering testimony were as follows: Kim Bryan, 2097 Hykes Road, Greencastle; Grant Martin, 2816 State Line Rd., Waynesboro; Terry Bryan, 2097 Hykes Road, Greencastle; Fred Reed, 232 Creekwood Drive, Greencastle; Terry Chilcoate, 14621 Greenmount Road, Greencastle; John Wilson, 14990 Greenmount Road, Greencastle; Sandy Manahan, 15086 Greenmount Road, Greencastle; Bob Colodonato, 24 Rocky Fountain Drive, Greencastle; Rhoda Kohler, 14997 Hykes Road, Greencastle;

Charles Powell, 15252 Greenmount Road, Greencastle; Ron McClanahan, 121 Creekwood Drive, Greencastle; Ray Barrett, 338 Creekwood Drive, Greencastle;

and Larry Eberly, spokesperson for the Antrim Township Planning Commission.

Concerns of residents included, but were not limited to, the following: Traffic accidents causing I-81 to back-up with the back-up traffic being re-routed to Williamsport Pike/Hykes Road/to SR0011; empty warehouse along Kriner Road that could be utilized; rail noise putting stress on cattle bearing on their production of milk; noise from trains from changing couplers, building of a spur, and train cars banging; annoying lighting; creek pollution; the giving of hypothetical answers to hypothetical questions of unknowns; durability strength of Hykes Road not being able to handle tractor trailer traffic; will an Industrial company being built here lessen residents taxes; will Greenmount Road residents need to hook to public sewer; personal property concerns if Greenmount Road would be rerouted; the impossibility of making truck traffic go a certain route; taking "people's" property to widen Hykes Road; questioning the already-approved Industrial parcel's warehouse; children cycling on Greenmount Road; the loss of Antrim Township's country setting; wanting Antrim Township to be different than that of Chambersburg, PA and Washington County, MD; application for rezoning premature rather than waiting to have the first warehouse built; Industrial fitting in with Residential; and overall health, safety and welfare of Antrim Township citizens due to the stream location.

Zoning Officer Garland reviewed the screening portion of this proposed ordinance reminding the Supervisors that the reason for this section is to provide support for those Highway Commercial properties wishing to improve sections of their property without requiring these owners to screen their property from adjacent properties that the same person owns.

Resolution #286: A Byers/Miller motion passed with unanimous vote to close the hearing for the zoning change request from WCN Properties for 35 acres along Hykes Road and for the screening portion of this proposed ordinance.

Resolution #287: A Miller/Baer motion passed with unanimous vote to reconvene the regular meeting of the Antrim Township Board of Supervisors of June 10, 2008. The time was 7:12 PM.

Resolution #288: A Byers/Miller motion passed with unanimous vote to pass the amendment of the screening requirement in the Highway Commercial (HC) and Community Commercial (CC) districts section of **Ordinance No. 312** but deny rezoning of the 35 acres along Hykes Road from R-2 to Industrial Zone, as requested by WCN Properties.

Utilities Director Charles Goetz announced that bids were opened for the Pole Type Building to be constructed at the Antrim Township Wastewater Treatment Plant. Three bids were received as follows: M&H Construction, 5172 Salem Church Road, Waynesboro at \$24,094.00 with \$3.00 per square bid for the add-alternate; Doubletree Structures, Division of C B Structures Inc., 344 East Main Street, Leola, PA, at \$22,729.00 with \$198.00 per square; East End Construction, 105 Private Road, Montgomery, PA, at \$23,300.00 with \$1.00 per square. East End Construction's bid, however, was not eligible as it was received via fax, not in a sealed envelope, and was received in the Township office after the advertised receipt time of 1:00 PM.

Resolution #289: A Miller/Young motion passed with unanimous vote to award the pole type building bid at the Antrim Township Wastewater Treatment Plant to Doubletree Structures, Division of C B Structures Inc., 344 East Main Street, Leola PA, the lowest responsible bidder, at a cost of \$22,729.00, as this bid was reviewed and approved by appropriate township and legal staff as it met all requirements of the bid packet. The Supervisors were in agreement to forego the bid alternate of furnishing and installing metal siding.

The Supervisors discussed the request received from J. Thomas Shook on April 28, 2008, to dedicate the open area of Phase II of Melrose Meadows to Antrim Township. Solicitor Hoff (representing the Board of Supervisors on this matter) notified the Supervisors that they have three options to give Mr. Shook. (1) Build the open space into recreation lands according to the approved plans. (2) Pay the recreation fees for Melrose Phase 1, 2 and 3 as required if the area is not built per the approved plan as usable recreation space in accordance with our ordinance; or (3) Have the Park Committee determine another form of recreation and amend the plan to create the new recreation use; i.e. bird preserve, trails, etc. The Supervisors ask that Mr. Shook either pay recreation fees or build the open space according to the approved plan. Supervisor Miller will speak with Mr. Shook and get the Antrim Township Park Committee feedback on possible uses of the open area.

Resolution #290: A Baer/Miller motion passed with unanimous vote to grant a stormwater modification request to Waste Management from providing minimum basin bottom slope requirements of 1% or 0.5% with paved low flow channels for existing detention basins C and D as recommended by Township Engineer Dewberry.

Resolution #291: A Byers/Baer motion passed with unanimous vote to grant a modification of Rochester Place 269-unit townhome plan along Mountain View Drive, by making this a Preliminary Plan rather than the submitted Preliminary/Final Plan due to the significant contraction of the housing market.

Resolution #292: A Baer/Young motion passed with unanimous vote to grant preliminary approval to the 269-unit townhome preliminary plan for Rochester Place along Mountain View Drive pending financial security being received, all fees being paid, meeting all other criteria and any other applicable Township ordinances prior to final approval being granted by the Antrim Township Board of Supervisors.

Resolution #293: A Myers/Young motion passed with unanimous vote to grant Progress Homes LLC a well modification request for Lots 12, 13, 14, 15, 16, and 17 Oakley Lane

since these wells already exist on these lots from the previous Artery Development owner.

Resolution #294: A Miller/Baer motion passed with unanimous vote to grant stormwater modification requests, as follows, to Kell/Woodring from (1) creating a top width of the berm of the shallow sump to be two (2) feet rather than the six (6) feet required by the Ordinance and since the basins are very shallow sump areas on each lot and the PADEP Stormwater Best Management Practices Manual specifies a minimum top width of two feet for embankments of infiltration basins, this request was granted upon recommendation from Township Engineer Dewberry; and (2) providing a core trench in a one foot high berm since the basins are very shallow sump areas on each lot and the soil specified for embankment construction on the plans is relatively impermeable and meet the following USCS classification groups as determined by ASTM D2487/D2488: CL and/or CL-ML, this request was granted upon recommendation from Township Engineer Dewberry.

Resolution #295: A Miller/Baer motion passed with unanimous vote to grant a stormwater modification request to Hollowell Brethren In Christ Church from the requirement to completely infiltrate the collected runoff volume in the existing retention/infiltration basin with two days (48 hours) since Township Engineer Dewberry recommends this since the proposed stormwater management plan for the site greatly improves the current runoff conditions, and since the runoff entering the infiltration BMP enters over a prolonged period of time.

Resolution #296: A Myers/Baer motion passed with unanimous vote to grant 180-day extension requests to the following: **Heritage Hills Subdivision**, an 85-lot residential subdivision along Rosebud Drive/Walter Drive to allow engineers time to address comments, to receive a completed traffic study, and to obtain public water; **Travel Centers of America**, a land development plan along John Wayne Drive to allow time to address Franklin County Conservation District comments from on-site meeting; **Kingsbrook Meadows**, a 14-lot subdivision along McClanahan Road to allow sufficient

time for our engineer to respond to staff comments; **I-81 Equipment Sales**, a land development plan along Antrim Church Road to allow time to adequately address Township Engineer and Staff comments; **Antrim Commons Business Park**, a land development plan along Molly Pitcher Highway to allow time to address engineer comments and submit waiver requests; **Kell/Woodring**, a 3-lot subdivision plan along Hollowell Church Road/McDowell Road to do technical review of plan; **Davison Family Trust**, a single-lot subdivision plan along Grindstone Hill Road to allow time to finalize hydro study, for Franklin County Soil Conservation approval and obtain PA DEP approval; **Merle Horst**, a land development plan along Hollowell Church Road to allow time for technical review of plan; **North Shore One**, a land development plan along Buchanan Trail East at Grindstone Hill Road to allow time for the developer to address comments; and **Castle Commons**, a commercial land development plan along Williamsport Pike to allow time to address stormwater comments, obtain Highway Occupancy Permit and obtain Soil Conservation District approval.

Zoning Officer Garland updated the Supervisors on the rezoning requested by Century Inc./Duane Kinzer. This original application is being amended and will be forwarded to the Supervisors at a later time for review.

Resolution #297: A Myers/Baer motion passed with unanimous vote to authorize an Agreement to Amend Approved Land Development and/or Subdivision Plan between Jeff and Connie Todd and GRG Classics, LLC, and Antrim Township to amend land development plan as the owners desire not to have screening placed along the northern property line since this land is no longer residential as the residential trailer park has been removed.

William Brindle Engineer Jim Maun presented pictures of the stormwater system that was installed on Lot 113, 7856 Golf Vista Drive, Greencastle, and Mr. Maun questioned why an amendment agreement is necessary for this property. As previously explained, the Township will author a plan amendment for

the owner to sign.

Steve Oder of Cavalier Development, Frederick MD, addressed the Supervisors regarding a response received from Traffic Planning and Design, Inc., on January 22, 2008 with respect to a future traffic signal at the intersection of Williamsport Pike, Mason Dixon Road. Prior to Mr. Oder receiving approval of his Pembrokehire Subdivision Plan, the traffic situation must be resolved and Mr. Oder needs to come to an agreement with the Supervisors. PennDOT is requesting that the Township state in a letter that Antrim Township will monitor the traffic at this State intersection.

PennDOT is basically asking the Township to monitor this intersection so when it comes time for a signal to be warranted, the township will have to construct the light and pay to maintain this light. Under direction of Solicitor Lisko, this just does not feel right.

Antrim Township will not agree to the monitoring of the State Williamsport Pike/Mason-Dixon intersection. Mr. Oder was encouraged to meet with PennDOT to negotiate a different method of traffic concern settlement.

Resolution #298: A Miller/Young motion passed with four votes (Supervisor Byers was out of the room when vote was taken) to grant Dan Ryan Builders Inc. a one-year extension, until May 30, 2009, for Bond No. 1022106 dated May 30, 2007, in the amount of \$182,273.30, an amount which includes the required ten percent increase, for work to be completed in Shadow Creek Phase IV.

Resolution #299: A Myers/Miller motion passed with four votes (Supervisor Byers was out of the room when vote was taken) to increase Artery Development Company LLC's bonds for the following Artery Rolling Hills Sections as follows: (1) Bond Number SU 5020730 Artery Rolling Hills LLC, Rolling Hills, Section 3 from \$228,695 to \$251,564.50, an amount including the required ten percent increase, as all work has not yet been completed; (2) Bond Number SU 5020731 Artery Rolling Hills LLC, Rolling Hills Section 4 from \$374,888.00 to \$412,376.80, an amount including the required ten percent increase, as all work has not yet been completed; (3) Bond Number SU 020732 Artery Rolling Hills LLC, Rolling Hills Section 5 from \$780,450.00 to \$858,495.00, an amount including the required ten percent increase, as all work has not yet been completed.

Resolution #300: A Baer/Myers motion passed with four votes (Supervisor Byers was out of the room when vote was taken) to release Letter of Credit #131 for GRG Classics, LLC, for 14017-14019 Molly Pitcher Highway, as GRG Classics requirements at this location have been completed.

Resolution #301: A Baer/Miller motion passed with four votes (Supervisor Byers was out of the room when vote was taken) to release Letter of Credit # 06-56 for Valentine's Day Spa, Buchanan Trail West, as work required can now be considered complete due to the Ordinance hearing earlier this evening.

Solicitor Lisko noted the request for the Franklin County District Justice office lease agreement to be amended cannot happen as the February, 2008, action of the Antrim Township Board of Supervisors did away with the original lease and legally, we have no lease with Franklin County for this office space at 10655 Antrim Church Road.

A letter shall be prepared noting the monthly Franklin County District Justice rent will be \$1,000 effective July 1, 2008. The Supervisors determined the management study will direct the Township on whether it will be necessary to have the County office move from this building.

Resolution #302: A Baer/Young motion passed with unanimous vote to advertise a special joint worksession on June 23, 2008, at 5:00 PM for the Nutrient Trading Credit presentation by Land Studies and Brinjac Engineering, Inc., to be made to the Antrim Township Board of Supervisors, the Antrim Township Planning Commission, and the Antrim Township Municipal Authority.

The Antrim Township Supervisors authorized Chairman Curtis Myers sign the Agreement (Vice

Chairman Young recused himself) between Antrim Township Board of Supervisors and Greencastle Area, Franklin County, Water Authority that was approved

by the Supervisors at their April 22, 2008, regular meeting concerning mandatory water connections in a portion of the Hess Development. This agreement states the facts that were discussed in good faith at the April 2<sup>nd</sup> meeting by two members of the

Authority, two members of the Supervisors, along with the Township and Borough Managers. (Utilities Director Goetz was excused from the meeting at this time - 8:02 PM.)

Resolution #303: A Myers/Miller motion passed with unanimous vote to authorize P. Joseph Lehman, Inc., Box 419, Hollidaysburg, PA, as a Transportation Consulting Engineer for 2008.

Resolution #304: A Young/Miller motion passed with unanimous vote to recommend the Disc Golf group be allowed to raise funds as they see fit to pay for the additional Disc Golf baskets they desire to have at the Whispering Falls Disc Golf Course at the Antrim Township Community Park.

Manager Thomas updated the Supervisors on the June 18<sup>th</sup>, 2008, date for file purging to begin. There will be limited Planning/Zoning Services available to residents that day and a News Release will be forwarded to the local entities alerting the public of this change.

The Supervisors noted that Time Management Consultant Matt Dhillon will convey to the Township the method that may be used for electronic filing. Manager Thomas reminded those present that a government entity is bound by certain laws to preserve certain documents. A note of caution was mentioned regarding electronic processing and the need for this process to be accessible at all times in history.

The Supervisors desire to revamp the lower loft in the existing upper garage area for use of file cabinet storage after purging these files.

The Supervisors discussed the 2009 proposed Road Projects for Antrim Township as prepared by Roadmaster Paul Barnett and Supervisors Miller and Young. Supervisor Miller wishes to not proceed with Commerce Avenue shoulder work and have a

developer do road improvements at a later time, and to wait to work on Choxes Chase, Kings Court and Queens Court. Initially the Supervisors stated they wish to use 2-1/2" leveling course and 1" overlay on Shanks Church Road, Maryland Line Road, and Coseytown Road, with reclaiming Shinham Road in its entirety. However, the Supervisors agree on the four roads as listed but will discuss the process at a later time.

Manager Thomas asked the Board that as the 2009 road project list is reviewed, that they look at superpave for Shanks Church Road as that way the sealcoat does not have to be done every five years due to heavy development in the area.

Resolution #305: A Baer/Miller motion passed with unanimous vote to schedule joint meetings with the Greencastle-Antrim School Board, the Borough of Greencastle, the

Greencastle Area Franklin County Water Authority, the Greencastle Borough Sewer Authority, the Antrim Township Municipal Authority, and the Antrim Township Board

of Supervisors on October 30, 2008, and April 30, 2009, at 5:00 PM in the Antrim Township Municipal Building boardroom.

Manager Thomas noted the 2007 Antrim Township Audits will be on line on Wednesday, June 11, 2008, for residents' information.

Manager Thomas announced Greg Creasy of Grove Miller will attend the June 24, 2008, regular

Supervisors meeting to review and brainstorm the SR0011 Exit 3 Study.

Resolution #306: A Miller/Baer motion passed with unanimous vote to immediately bid road materials for Gearhart Road.

Solicitor Lisko and Manager Thomas noted conditions in which “bid only for materials” may not be the best method in which to bid.

Resolution #307: A Baer/Miller motion rescinded Resolution #306.

Resolution #308: A Baer/Miller motion passed with unanimous vote to bid Gearhart Road per Tons by the entire road and NOT by road material quantities using 2-1/2" leveling course and 1" overlay.

A discussion was held on resolution of the Izer property force main issue but was tabled due to a lack of decision. Supervisors Baer and Myers were not able to get the Izer's consent for a temporary right-of-way agreement. Supervisors Miller and Young will attempt to speak with Mr. Izer concerning the repair the Township is willing to make to resolve this issue and to avoid further costs at taxpayer expense.

Resolution #309: A Miller/Byers motion passed with unanimous vote to rescind Resolution #301 as the release of the Valentine Letter of Credit #06-56 was premature as

the required screening along property Mrs. Valentine does not own may not have been completed. Staff will inspect and if required screening is completed, bond shall be released.

Public Comment was received from David Minnich regarding enforcement direction of the Todd Auto Body appeal.

All agenda items being addressed, the regular meeting adjourned at 8:51 PM. Solicitor Lisko called for a “Supervisors Only” Executive Session.

Respectfully submitted,

Secretary