

September 16, 2008 - Antrim Township Board of Supervisors

MINUTES OF THE SPECIAL MEETING OF THE

ANTRIM TOWNSHIP SUPERVISORS

SEPTEMBER 16, 2008 5:00 PM

The Antrim Township Board of Supervisors held a special meeting Tuesday, September 16, 2008, at 5:00 PM, in the Antrim Township Municipal Building, 10655 Antrim Church Road, Greencastle, with the following present: Chairman Curtis Myers, Vice Chairman Fred Young III, Richard Baer, James Byers, Zoning Officer Sylvia House, Solicitor John Lisko, and Renee Perrin. (Supervisor Samuel Miller did not attend this meeting.)

Visitors: See Sign-In Sheet

Chairman Myers called the special meeting to order at 5:03 PM. This special meeting is for the purpose of holding public hearings for re-zoning requests from Century Inc. and PAAL and Associates.

Resolution #438: A Young/Byers motion passed with four votes (Supervisor Miller was absent) to recess the September 16, 2008, special meeting of the Antrim Township Board of Supervisors.

Chairman Myers called to order the public hearing to hear testimony from Century, Inc., requesting zoning be changed from Industrial Zoning to Highway Commercial for land located along Molly Pitcher Highway South. Spokesperson William A. Brindle, President of William A. Brindle Associates, addressed the Supervisors regarding the formal Zoning Amendment Application for the Century Inc. site of 113.4986 acres between SR0011 and Interstate 81 south of Greencastle, noting the need that as zoned Industrial, the utility easements in this property have prohibited the marketing of this land for the past thirty years. Additionally, the request to have it rezoned to Highway Commercial would bring an additional tax base to Antrim Township and would be better suited located next to the Greencastle-Antrim School District than an Industrial zone would be.

Zoning Officer House read the recommendation of the Antrim Township Planning Commission from correspondence dated September 12, 2008: *"The Planning Commission recommends that the property be rezoned from Industrial to Highway Commercial III. After reviewing the permitted uses in the three possible Highway Commercial zones, the Planning Commission concluded that the Highway Commercial III uses are appropriate for this land, which is adjacent to school district lands in the Township and the Borough. The Highway Commercial III would exclude uses for fireworks sales and for adult business, but would allow for both light manufacturing and most commercial uses."*

Zoning Officer House reminded the Supervisors it is not the Supervisors decision as to what zoning district land parcels can be changed. The request tonight is to change zoning from Industrial to Highway Commercial.

Zoning Officer House announced an opposition from resident and Municipal Authority Board member Robert Coladonato was received due to the fact that Highway Commercial allowed fireworks stores and adult-oriented entertainment. As Zoning Officer, Ms. House believes Antrim Township needs to bring in more businesses and the Township has provisions to add conditions on uses regarding adult entertainment and fireworks use in the Highway Commercial district.

Mr. Coladonato stated this was his only objection and asked that Century Inc. put a deed restriction on this property keeping prospective owners from using this property in this way.

Mr. Brindle noted that Century Inc. is not interested in any business locating to this tract of land that would not offer jobs to the residents of this area.

Attorney A. J. Benchoff, Waynesboro, handed out maps from the current comprehensive plan (not from comprehensive plan currently under review) noting the sewer service area, believing rezoning this property fits within the character of Highway Commercial districts that are currently in this zone.

William Brindle added that Greencastle-Antrim School District's Superintendent Greg Hoover has been contacted to join with Century, Inc., with this application; however, there was no interest since action taken by the Supervisors in July, 2006, allowing schools to build in an industrial zone that would nullify the need for the school to participate in this request.

Supervisor Byers questioned how many tracts of Industrial land remain should these lands be rezoned tonight with his main concern being that a through street, as outlined in the Comprehensive Plan, connect Leitersburg Road to SR0011. It was confirmed that this indeed will happen.

Franklin County Area Development Corporation President Mike Ross was sworn in at this time to state that he has been working with Duane Kinzer a long time and since he lives in the community, it is understood that Mr. Kinzer would agree to put a restriction on the use of this rezoned property.

Greencastle-Area Development Corporation Gary Gembe questioned whether anyone contacted John and Debbie Hoffman since their 30-35 acres of Industrial zoned land is now in between two Highway Commercial pieces of property.

William Brindle did indeed contact them and they prefer to have their property remain Industrial at this time and are not opposed to Century's property being rezoned.

Resident Dennis Carbaugh, 12444 Molly Pitcher Highway, owns three parcels of property adjoining Century's land and bought this land when it was Highway Commercial and has no objection to this rezoning request.

Resolution #439: A Baer/Young motion passed with four votes (Supervisor Miller did not attend this meeting) to adjourn the hearing held for Century Inc. requesting rezoning of approximately 113.4986 acres of land located along Molly Pitcher Highway as there was no further testimony to be presented.

Chairman Myers reconvened the special Antrim Township Board of Supervisors meeting.

Resolution #440: A Baer/Byers motion passed with four votes (Supervisor Miller was absent) to change zoning from Industrial to Highway Commercial for approximately 113.4986 acres of land located between SR0011 and Interstate 81 south of Greencastle owned by Century Inc. as noted in **Ordinance No. 314**, strongly recommending a deed restriction be placed on this property excluding the property from being used for fireworks stores and/or adult entertainment facilities.

Resolution #441: A Baer/Byers motion passed to recess the September 16, 2008, special meeting of the Antrim Township Board of Supervisors.

Chairman Myers called to order the public hearing to hear testimony from PAAL and Associates requesting zoning be changed from Industrial Zoning to Highway Commercial for land located at 12314 Molly Pitcher Highway South for the purpose of having consistent zoning throughout the properties for future growth and for increased valuation of said real estate to aid in securing financing for future projects.

Attorney Michelle Calvert addressed the Supervisors regarding the request to rezone this parcel of property formerly owned and since purchased from Harold High in order to have consistent zoning throughout the properties for future growth and for increased valuation of said real estate to aid in securing financing for future projects and to continue the use of this land as a staging site for the auction vehicles.

It has been noted that the advertisement for this rezoning request included a less than three acre parcel

on the other side of Interstate 81 that is currently zoned Community Commercial II/Professional. PAAL and Associates are in agreement that this tract of land be rezoned since it was included in the advertisement but are not opposed to having this tract of land being zoned back to Community Commercial II/Professional at a time when the Township is having a hearing to rezone any other property.

Zoning Officer House read the recommendation as received from the September 12, 2008, Antrim Township Planning Commission correspondence: *"The Planning Commission recommends that it would be appropriate to rezone the land to the west of Route 81 from Industrial to Highway Commercial, to allow for both business and light manufacturing uses, and to maintain the land to the east of Route 81 as Community Commercial II, which is consistent with the uses and current zoning of other lands along the eastern side of Route 81."*

Zoning Officer House announced an opposition from resident and Municipal Authority Board member Robert Coladonato, 184 Rocky Fountain Drive, Greencastle, was received due to the fact that Highway Commercial allowed fireworks stores and adult-oriented entertainment. As Zoning Officer, Ms. House believes Antrim Township needs to bring in more businesses and the Township has provisions to add conditions on uses regarding adult entertainment and fireworks use in the Highway Commercial district.

Zoning Officer House also noted it would be her preference to rezone lands for PAAL and Associates west of Interstate 81 but to maintain lands east of I-81 as Community Commercial II to remain consistent with the uses and current zoning of other lands.

Solicitor Lisko states his opinion to rezone all lands as Highway Commercial tonight since it was advertised as such, and rezone the lands to the east of Interstate 81 at a later time.

Resident Robert Coladonato has no other objections to the rezoning request tonight for PAAL and Associates except for the possible uses of fireworks stores and adult-oriented entertainment and asks that PAAL and Associates attach a deed restriction to this parcel of land.

Attorney Michelle Calvert noted she has not spoken to the principals regarding this matter but all owners are auto dealers, not developers, and believes their goal is to continue the use of the land requesting re-zoning to be used in a like manner as exists currently.

Resolution #442: A Baer/Young motion passed with four votes (Supervisor Miller was absent) to adjourn the public hearing for PAAL and Associates requesting zoning be changed from Industrial to Highway Commercial for land located at 12314 Molly Pitcher South both east and west of I-81 at approximate 5:58 PM.

Chairman Myers reconvened the September 16, 2008, special meeting of the Antrim Township Board of Supervisors.

Resolution #443: A Myers/Baer motion passed with four votes (Supervisor Miller was absent) to enact **Ordinance No. 314** to amend the Antrim Township Zoning Chapter changing zoning of approximately 26 acres - currently owned by PAAL Associates with tax parcel A22-112 from Industrial to Highway Commercial.

All agenda items being addressed with no other business to bring before the Antrim Township Supervisors, the meeting adjourned at 6:00 PM.

Respectfully submitted,

Secretary