

August 23, 2016 - Board of Supervisors - Minutes

Minutes of the Antrim Township Supervisors
Regular Meeting with Public Hearing on Zoning change
August 23, 2016 7:00 PM

The Antrim Township Board of Supervisors met Tuesday, August 23, 2016 at the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following members present: John Alleman, Chairman; Fred Young, Pat Heraty and Chad Murray. Also attending was: John Lisko, Solicitor; Brad Graham, Administrator; Sylvia House, Zoning and Code Enforcement Officer; Carl Rundquist, Public Works Director and Jennifer Becknell, Secretary. (Rick Baer was absent.)

Alleman called the meeting to order at 7:01 p.m.

Alleman reminded the audience that meetings are audio recorded and posted to the Township website.

Graham opened the meeting with prayer, followed by the Pledge of Allegiance to the Flag.

Alleman called for Public Comment. There was none.

A Heraty/Young motion passed 4-0 approving the minutes from the August 9, 2016 Regular meeting.

A Heraty/Murray motion passed 4-0 approving payment of the bills on the Treasurer's reports dated August 23, 2016.

A Murray/Young motion passed 4-0 to recess the Regular Meeting at 7:04 p.m.

Alleman called to order at 7:04 p.m. the Public Hearing for the purpose of hearing public comment on the Zoning Change request by ATAPCO Properties to change the zoning from Highway Commercial to Industrial as depicted on Exhibit "A". Specifically, portions of parcel numbers 01-0A22.-036.-000000, 01-0A22.-037.-000000 and 01-0A22.-36A-000000 in the Antrim Business Park, along Molly Pitcher Highway.

Alleman swore in all those present who wished to testify and stated that all testimony should be presented directly to the Supervisors. When recognized by the Board to please clearly state their full name and address for the record.

Alleman first called the Zoning Officer. House stated that the property was posted and advertised as required by law and notices were mailed out to surrounding property owners. House stated that a few people came into the office to inquire but were satisfied once they knew the change request stayed south of the lane going to the Bonnell property and Highway Commercial would stay along Route 11. House stated that the Township received a letter from Terrence Bonnell concerning this zoning change and was asked to have his letter read into the records by the Chairman.

Alleman read the letter from Terrence Bonnell dated August 10, 2016, addressed to the Board of Supervisors.

House shared with the Board of Supervisors that she told Terrence Bonnell that the lane belongs to him

and no one can do anything with it without his consent. House continued by stating that the Antrim Township Planning Commission is in favor of this zoning change as they feel it is consistent with the Comprehensive plan and the area proposed to be Industrial will be better served as Industrial and the portion along Route 11 would be better served by Highway Commercial uses. The Township has received a letter stating such from Deborah Hoff, the attorney representing the Planning Commission.

Daniel Hockman, Golf Vista Drive-Greencastle, stated Bowman Development Corp. owns 67 acres on Grindstone Hill Road that is zoned Highway Commercial and asked that the Supervisors keep an open mind to allowing more Industrial uses in the Township in areas zoned Highway Commercial, as this can make the properties more equitable and bring more businesses to the area.

Tim Hogan, with ATAPCO Properties, testified that ATAPCO had negotiated with Terrence Bonnell for the lane, but had not come to an agreement. He did not want the Supervisors to think they ignored Terrence's requests. Mr. Hogan summarized that the zoning change is necessary to create a lot with uniform zoning for their client, El Dorado Stone. The Highway Commercial areas will still have inter-parcel connectivity and his team is actively seeking tenants through trade shows and brokerage events. They will not do anything to upset the process of securing the grant money being sought by The Archeological Conservancy.

Robert Smith, Angle Drive-Greencastle, as serving on the Antrim Township Planning Commission wanted it stated in the public record that while discussing this zoning change request, he was very mindful that the Ebberts Spring would not be jeopardized in any way as he feels it is a significant site and should be protected.

Andy Stout, of The Archeological Conservancy, commended the Supervisors for having the Martin Mills Bridge open during Old Home week and thought it was nice to see every Supervisor out working that event. Mr. Stout shared his gratitude for ATAPCO and the Township during this Ebbert's Spring historical area project and is looking for the grant money to be issued in October. Mr. Stout continued by stating the artifact collection has been updated and that he has contacted Shippensburg University and they are interested in using this site for their archeological degree programs. Mr. Stout said he supports this zoning change, but in moving forward he would like support in minimizing the impact on the Ebbert's Spring historical area by creating buffers, as to allow people to experience the site as going back in time as it is preserved to be.

A Heraty/Young motion passed 4-0 to adjourn the Public Hearing at 7:27 p.m.

Alleman reconvened the Regular Meeting at 7:27 p.m.

A Young/Heraty motion passed 4-0 adopting Ordinance Number 348 approving the zoning change request by ATAPCO Properties to change the zoning from Highway Commercial to Industrial as depicted on Exhibit "A".

Jason Divelbiss, of Divelbiss and Wilkinson-Attorneys at Law, updated the Supervisors on the Nottingham Plan Amendment progress stating that they have obtained signatures for 31 of the 54 lots, and plan on going door to door to obtain signatures on the remaining 23 lots. Mr. Divelbiss asked the moratorium to be lifted for the pending permits for the 2 lots for Stuart Parks and the 2 lots for Dan Ryan Builders.

A Young/Heraty motion passed 4-0 conditionally approving the release of four land use permit for lot

numbers 74 and 80 for Stuart Parks and lot numbers 90 and 132 for Dan Ryan Builders, pending the properly executed indemnification agreement between Antrim Township, WLS Nottingham, Stuart Parks and Dan Ryan Homes.

A Young/Heraty motion passed 4-0 approving the dismissal of the annual 10% increase from the annual review of the financial security for Summit Health, allowing the Letter of Credit to remain at \$348,186.85, which is valid until September 10, 2017.

A Heraty/Murray motion passed 4-0 approving the annual 10% increase in the financial security renewal for Augusta Partners. The new Letter of Credit, in the amount of \$24,836.99, shall be received no later than noon, September 21, 2016 or staff shall be authorized to draw on the letter of credit.

A Heraty/Murray motion passed 4-0 approving the annual 10% increase in the financial security renewal for Hickory Hollow Sawyers. The new check, in the amount of \$3,118.78, will be deposited into an escrow account. Staff shall be authorized to deposit the existing check if the replacement check is not received before September 22, 2016.

Staff requested direction on how to handle subdivision or land development plans now that the State Acts that automatically extended the life of a plan have expired. The Antrim Township Planning Commission (ATPC) reviewed this request and ultimately recommended that the Board of Supervisors be more stringent on extensions. The ATPC pointed out that the stagnant plans are grossly inadequate, not complying with DEP or EPA regulations, which will need to be completely reengineered. House distributed a spreadsheet showing the plans in the review process, preliminary approved plans, and plans with conditional approvals. After some discussion, the following three decisions have been made concerning these three status categories of plans.

A Heraty/Young motion passed 4-0 authorizing staff to send letters to 8 (highlighted in blue) of the 21 plan holders on the "Plans in the Review Process" spreadsheet, giving them the deadline date for the Planning Commission approval.

A Murray/Young motion passed 3-0-1 (Pat Heraty abstained) directing staff to follow the expiration date per the PA Builder Association definition and accept the newly listed expiration date for the plans that are still listed in black on the "Preliminary Approved Plans" spreadsheet. Direction was also given for staff to be proactive and send a letter to the plan holders (shown in black) informing them of their new plan expiration date.

A Heraty/Murray motion passed 4-0 authorizing staff to send a letter to one plan holder (highlighted in blue) informing them that they have six (6) months to meet the conditions or a denial will be issued on the plan.

Heraty left the meeting at 8:01 p.m.

Alleman informed the Zoning Officer that a certain business property owner on Route 11 has not yet planted trees as a buffer to show signs of being a good neighbor and asked staff to write a letter on behalf of the Board of Supervisors asking them to consider planting trees.

Heraty returned to the meeting at 8:03 p.m.

The Public Works Director was present to report to the Supervisors that the changes to the Sewer

Pretreatment Ordinance have been made and is ready for their approval. As discussed at the March 8, 2016 meeting, the ordinance modifications are being made in an effort to meet EPA requirements by switching from basing the program on “concentration” criteria to using “maximum allowable industrial loading”, which is recommended by the EPA, and would provide more flexibility, and create fewer violations/compliance issues. The Supervisors asked to table this decision until the September 13, 2016 meeting to allow more time for the Zoning Officer, Solicitor and Board to review.

A Heraty/Young motion passed 4-0 authorizing staff to send out the sewer disconnection letter to the newest prepared list of delinquent sewer customers, which was prepared by the billing clerk and is comprised of the top twelve (12) delinquent properties.

Alleman inquired about our Student Representative position, to which staff responded that an email was sent out this week to the Student Representative from last year to see if there was still interest in serving, but that no response has been received yet.

Murray thanked staff for providing the detailed spreadsheet on the plans in the review process, stating that it is a great source of information. Murray continued by saying he thought the Martin’s Mill Bridge crossing was a great success and added that 254 vehicles crossed the bridge.

Young commended the Old Home Week Committee on a great job and thanked Mr. Alleman for heading up the Parade Committee.

Heraty also thanked the Old Home Week Committee for the tireless efforts and stated this event is great for the community. Heraty also stated that he has been approached by many who would like to see the Martin’s Mill Bridge opened for an annual crossing day.

Alleman stated he was relieved to know the parade was wrapped up and done for another three years, to which he added that when someone asked him how many hours it took to put the OHW parade together, he estimated 200 hours.

Alleman called for Public Comment.

Robert Smith, Angle Road, commented to Alleman that those many hours spent on the Old Home Week parade just makes him a better person for doing it.

A Young/Heraty motion passed 4-0 to adjourn the Regular Session at 8:25 p.m.

Respectfully submitted,

Jennifer Becknell
Board of Supervisors Secretary