

Minutes of the Antrim Township Supervisors
Regular Meeting with Zoning Change Hearing

September 22, 2020

7:00 PM

The Antrim Township Board of Supervisors met Tuesday, September 22, 2020 at the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following members present: Pat Heraty, Chairman; John Alleman, Vice Chairman; Fred Young and Chad Murray. Also attending was: Rodney Eberly, Roadmaster/Park Director; Sylvia House, Zoning/Code Enforcement Officer; Brad Graham, Administrator; Brian Millin, Sign-language Interpreter, and Jennifer Becknell, Secretary/Treasurer. *(Rick Baer, Supervisor, and John Lisko, Solicitor, were absent.)*

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

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

Heraty commented that meetings are audio recorded and posted to the Township website.

Heraty called for Public Comment.

Robert Smith, 7498 Angle Road, commented that the transition joint between the bridge and asphalt on the west side of the Hykes Road overpass is causing a rough ride.

A Murray/Alleman motion passed 4-0 to approve the minutes from the September 8, 2020 regular meeting.

A Murray/Young motion passed 4-0 to approve the payment of the bills on the Treasurer's reports dated September 22, 2020.

An Alleman/Murray motion passed 4-0 to recess the Regular Meeting.

Chairman Heraty called the September 22, 2020 Public Hearing to order at 7:06 PM for the purpose of hearing testimony on the amendment of Chapter 150 entitled Zoning, specifically to change the zoning from Low Density Residential (R-1) to Medium Density Residential (R-2) for five (5) parcels of land as advertised and outlined in the ordinance.

Heraty asked all persons who wished to testify or offer testimony during this public hearing to stand, and raise their right hand to be sworn in. All interested parties were sworn in and were directed to offer comments directly to the Board leading with their name and address.

Heraty first called on the Zoning Officer for testimony.

The Zoning Officer stated the following: This hearing has been requested to change zoning from Low Density Residential (R-1) to Medium Density Residential (R-2) for five (5) parcels at the corner of Grant Shook Road and Shanks Church Road; All property owners that are part of this change have signed the application and agreed to the change; The Public Notice was advertised and posted on the property, as well as mailed to surrounding property owners; The Antrim Township Planning Commission unanimously favored the proposed zoning change and recommends adopting the

ordinance; The Franklin County Planning Commission commented that infrastructure needs should be considered when increasing density and stated the changes are consistent with the County Comprehensive Plan and would not change the character of the surrounding area; The Medium Density Residential Zoning District will allow for smaller lot sizes and for greater flexibility in housing types; All the uses permitted in the R-2 Zoning District would be conducive to these parcels and to this area.

Heraty asked the Supervisors if they had any questions for the Zoning Officer. There were none.

Heraty called for any testimony from the audience.

Only one person made comments during this public call. Attorney Alex Sharpe, 257 Lincoln Way East, Chambersburg, PA, representing Helen I. Shook Irrevocable Trust, commented that when making a zoning change, it always brings the fear that it would create an area of nonconformity. Sharpe reassured the Supervisors that the permissible uses in a R-2 district would complement the surrounding areas by stating that there are duplexes to the East, approved PRD's to the North, Ag areas to the South and the Antrim Township Park to the West.

A Young/Alleman motion passed 4-0 to adjourn the Zoning Hearing, back into the Regular Meeting, at 7:12 PM.

A Young/Alleman motion passed 4-0 adopting ordinance #359 as written and advertised.

An Alleman/Murray motion passed 4-0 granting the modification request from providing additional perc tests for stormwater at 2205 Leitersburg Road, allowing the use of an underdrain as the 3.46-acre lot is large enough that any runoff will not affect surrounding properties. The perc test for the stormwater system was less than what the ordinance allows. The Antrim Township Planning Commission recommended granting this modification.

A Murray/Alleman motion passed 4-0 allowing Rochester Place Phase 1, Mountain View Drive, to conduct grading activity and utility installation prior to plan approval as long as all other comments are addressed, including fees paid and security in place and with the understanding that working off the plan prior to receiving the PA DEP (Department of Environmental Protection) water permit approval is at the developer's own risk. The Antrim Township Municipal Authority and the Antrim Township Planning Commission both recommended allowing the grading and utility installation prior to DEP water permit approval.

A Young/Murray motion passed 4-0 granting the modification request to 2017 Greenmount Road, lot 2, allowing relief from §125-17(C)(3)(d) joint and cross drives; and the use of a Liberty grinder pump instead of the standard e-one grinder pump. The Antrim Township Planning Commission recommended granting both of these modifications and the Antrim Township Municipal Authority agreed with the use of the Liberty grinder pump.

A Murray/Young motion passed 4-0 granting the following nine (9) modification requests for Antrim Commons Business Park (ACBP), lot 16, NorthPoint, Milnor Road. The Antrim Township Planning Commission and the Township's engineer firm, Dewberry, recommended granting all nine modifications listed below.

- §125-16(A)(8)(e), allowing a curb radius greater than 40' for truck access to Intermodal Avenue.
- §125-17(A)(7), allowing a centerline grade of less than 1% on Intermodal Avenue.
- §125-17(D)(4), allowing a parking stall of 9' x 18' and motorcycles spaces of 5' x 12'.
- §125-17(D)(7)(c), allowing light levels to exceed .5-foot candles in the areas of the driveway intersections.
- §126-6(D), allowing predevelopment stormwater management calculations to utilize existing land use coverage of agricultural in lieu of meadow coverage.
- §126-9(B)(8), allowing a flat basin bottom in lieu of minimum bottom slope of 1%.
- §126-10(C)(1)(g), allowing a sediment basin within the limits of the infiltration basin so long as appropriate distance between basin bottoms is provided.
- §126-10(C)(1)(e), allowing infiltration BMP's within 50' of carbonate bedrock.
- §126-10(C)(1)(j), allowing infiltration BMP's provided without a geotextile liner on basin bottoms.

A Young/Alleman motion passed 3-1 (*Murray voted nay*) granting the following three (3) modification requests for Antrim Commons Business Park (ACBP), lot 16, NorthPoint, Milnor Road. The Antrim Township Planning Commission recommended granting all three modifications listed below.

- §125-17(D)(6)(c), allowing 1 shade tree per 8 spaces to be placed around the perimeter of the parking area with only some trees in the internal landscaped islands.
- §125-17(D)(6)(d), approving the proposed parking layout as shown on the current plan set that provides more than 15 consecutive employee parking spaces in a row without a landscaped island.
- §125-17(D)(6)(e), approving the proposed parking layout as shown in the current plan set that does not provide an 8' wide landscape median with trees for every fourth (4th) row of employee parking.

A Young/Alleman motion passed 4-0 denying Antrim Commons Business Park (ACBP), lot 16, NorthPoint, Milnor Road, the modification request from §125-17(E)(2)(b), §125-17(E)(3)(b), and §125-17(E)(4), allowing a partial sidewalk/shared use trail along Ebbert's Spring Court. After some discussion, the Supervisors decided to require the developer to complete the shared use trail from where it currently ends along Ebbert's Spring Court to Milnor Road.

A Murray/Alleman motion passed 4-0 granting Antrim Commons Business Park (ACBP), lot 16, NorthPoint, Milnor Road, the modification request allowing stormwater management instead of stormwater reduction through the use of a MRC (Managed Release Concept) for under the parking areas as permitted by DEP when recommended by a geologist due to the concern of sinkhole formation. The Antrim Township Planning Commission and the Township engineer firm, Dewberry, recommended granting this modification. It was stated that the filters on this closed system will be maintained and inspected routinely by the property owner as required in the maintenance notes on the plan.

A Young/Alleman motion passed 4-0 granting Antrim Commons Business Park (ACBP), lot 16, NorthPoint, Milnor Road, the modification request from §126-10(C)(1)(g), allowing infiltration areas to use a mixture of 50% sand and 50% compost to make up grade differences. Dewberry will determine the type of compost to be used after discussing the options with the design engineer. The

Antrim Township Planning Commission and Township engineer firm, Dewberry, recommended granting this modification with the change to the mixture from gravel to compost.

The agenda item for John H. Koons, Jr. was tabled, as the Shared Access Agreement was not received back to the Township.

An Alleman/Young motion passed 4-0 authorizing the Chairman to sign the Conservation Easement for the Antrim Township Municipal Authority (ATMA) Waste Water Treatment Plant (WWTP) Phase II Upgrade.

A Murray/Young motion passed 4-0 granting a 180-day extension to the following three (3) plans. The Antrim Township Planning Commission recommended granting these extensions.

- Hoffman MPH LLC, Mason Dixon Road
- 2017 Greenmount Road LLC, Phase I, Greenmount Road
- Rochester Place, Phase I, Mountain View Drive

A Young/Alleman motion passed 3-1 (*Murray voted nay*) conditionally approving the final Land Development plan for Antrim Commons Business Park (ACBP), Lot 16, NorthPoint, Milnor Road, pending satisfaction of the following outstanding comments: the receipt of financial security, receipt of signed stormwater and conservation agreements, payment of the Repair and Improvement (R&I) charge, approval from FCCD (Franklin County Conservation District), approval from ATMA (Antrim Township Municipal Authority), receipt of plans in State Plane 83 South, and satisfaction of staff and Dewberry (Township engineer firm) comments.

An Alleman/Young motion passed 4-0 conditionally approving the final Land Development plan for the Antrim Township Municipal Authority Wastewater Treatment Plant Phase II Upgrade, Worleytown Road, pending receipt of plan in State Plane 83 South, and the paper copies to be signed at a later date.

A Murray/Alleman motion passed 4-0 conditionally approving the final plan for Rolling Hills Phase 6, 18 Duplex Lot Subdivision, Raeann Drive, pending receipt of financial security, ATMA (Antrim Township Municipal Authority) Facilities Agreement and the Stormwater Agreement.

An Alleman/Murray motion passed 4-0 renewing the staging schedule for Molly Pitcher Highway PRD. The Antrim Township Planning Commission recommended granting the revised staging schedule.

A Murray/Young motion passed 4-0 conditionally approving the final lot consolidation plan for ATAPCO Acquisitions LLC, Lot 1, Molly Pitcher Highway, pending approval from GAFCWA (Greencastle Area Franklin County Water Authority), approval from ATMA (Antrim Township Municipal Authority) and plans in State Plane 83 South.

A Murray/Alleman motion passed 4-0 approving the final plan for Duane G. and Cara A. Sheaffer, lot addition, Kauffman Road East. This plan adds a 50' section of land to an Ag lot.

A Murray/Young motion passed 4-0 authorizing the Administrator to sign the SFPM (Sewer Facilities Planning Module) Exemption Mailer for ACBP (Antrim Commons Business Park), lot 16, NorthPoint,

Milnor Road. The current plan requires an additional 24 EDU's, for a total of 61 EDU's, per DEP calculations for 24,000 gallons per day (gpd). This equates to 96 Township EDU's.

A Murray/Alleman motion passed 4-0 authorizing staff to send the RFPW-NBD (Request from Planning Waiver-Non Building Declaration) to DEP (Department of Environmental Protection) for Duane G. and Cara A. Sheaffer, lot addition to an Ag lot, Kauffman Road East.

An Alleman/Murray motion passed 4-0 renewing the Letter of Credit for Antrim Brethren in Christ Church in the same amount of \$274,023.75. The work for this project has been completed, however the grades for the existing basin were not regraded per the new plan. Antrim BIC Church will request release after the corrections to the basin are completed.

A Murray/Young motion passed 4-0 renewing the Letter of Credit for Greens of Greencastle Phase 5. No additional work occurred in the last year which makes them subject to the 10% increase. The current Letter of Credit in the amount of \$79,237.09 will be increased by \$7,923.71, for a new total of \$87,160.80, which shall be received no later than noon on October 26, 2020.

The Supervisors gave direction to staff on the Greenmount Road upgrade project to combine the utilities (power, phone and cable) to one common pole, thus keeping to one side of the roadway. Direction was also given to pursue a Developer's Agreement with 2017 Greenmount Road LLC to outline timing and provisions for them installing water and sewer from Hykes Road to their site before the Township upgrades the portion of the road from the 2017 Greenmount Road LLC property to Hykes Road. Lastly, the Supervisors gave direction that the intersection of Greenmount Road and Hykes Road should be designed for full turning movements.

The Roadmaster/Park Director reviewed the items on his prepared report to the Supervisors. In addition to the review of the ongoing road and park projects, the Supervisors had a few comments. Alleman asked that once the parking lots are numbered/signed at the Community Park, that an amended map be given to the Rescue Hose Fire Co. so they will know the new lot numbers for faster response times. Alleman stated that the gas line project at State Line is coming to an end with paving to begin soon and asked that the Roadmaster make sure the paving is completed to the Township's width specifications. Murray mentioned that he received a phone call from a resident that witnessed a vehicle with Maryland tags dumping bags of trash in the dumpster at the Community Park.

Graham advised the Supervisors that the G-A Chamber of Commerce has submitted their annual request for a donation towards the Heritage Christmas tree and that staff would be processing this payment as allocated for in 2020 budget.

Graham informed the Supervisors that the two surplus vehicles that were auctioned online through MunicibiBid both surpassed their reserve bids and were sold. The 1997 International single axle dump truck had a reserve bid of \$8,000 and sold for \$13,000, which has been picked up and the Township paid. The 2004 International single axle dump truck had a reserve bid of \$10,000 and sold for \$12,600.

Graham stated the following in review of the delinquent sewer account collections: Currently there are 210 delinquent sewer accounts. Some of these are accounts that were already in the delinquent cycle and nearing disconnection when the Township suspended our efforts amid the COVID-19 pandemic.

The total amount owed is \$58,305.50. Thirty (30) of these accounts would exceed the disconnection threshold. Graham stated Crystal has been doing a great job of getting liens in place on the past due accounts to cover the Township's financial interest. Graham recommended that due to how long a collection cycles takes (and not wishing to disconnect properties at Christmas), the Township defer the disconnection process until after the first of the year. Graham also stated that the Township will generate one or more letters notifying customers of their growing delinquency and the intent of the Township to re-start the sewer disconnection process for qualifying delinquent customers. Graham hopes these letters will encourage delinquent customers to get caught up before the first of the year and to avoid extra late fees.

The Supervisors gave direction to staff to resume adding late fees on the delinquent accounts.

Alleman shared that a resident in the Greenview development had a fuel oil leak in their basement which resulted in the discovery that their sump pump was illegally connected to the sanitary sewer system. Once the discovery was made, it was determined that approx. 50 gallons of fuel oil had entered the Township's system. The pump station that was to receive this flow was stopped in time and was pumped out before sending it down the line. Alleman stated he was in conversation with the Public Works Director to draft a letter to all the residents in this development explaining that it is illegal to have a sump pump discharge to the Township's sewer system and that they should inspect their systems to verify that they are not in violation.

Heraty called for Public Comments.

Robert Smith, 7498 Angle Road, suggested that the letter that is being sent to the residents in Greenview development concerning sump pumps being illegally connected to the Township's sewer system be modified and sent to all sewer customers.

Mary Smith, resident, shared that she has concerns about the value of homes with the zoning change from tonight's meeting and that she wished she had more time before the meeting as she received the notice from the Township only a few days prior. The Chairman explained that she can reach out to the Township Zoning Officer any time to discuss all concerns she may have.

A Young/Alleman motion passed 4-0 to adjourn the Regular meeting at 8:36 p.m.

Respectfully submitted,

Jennifer Becknell
Board of Supervisors Secretary