

June 24, 2014 - Board of Supervisors Minutes

Minutes of the Antrim Township Supervisors

Regular Meeting with Zoning Hearing

June 24, 2014 7:00 PM

The Antrim Township Board of Supervisors met Tuesday, June 24, 2014 at the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following members present: John Alleman, Vice Chairman; Rick Baer, James Byers and Fred Young. Also in attendance were: John Lisko, Solicitor; Linus Fenicle, Special Council to the Board for the Zoning Hearing; Sylvia House, Code Enforcement/Zoning Officer; Brad Graham, Administrator; Mike Condo, Roadmaster/Park Director; Jennifer Becknell, Secretary. *(Pat Heraty arrived late.)*

Alleman called the meeting to order at 7:02 p.m.

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

Alleman asked for Public Comment.

Steve Fretz, representing Cedarbrook development, read a prepared letter from the Cedarbrook Home Owner's Association (HOA). The letter outlined three requests for the Supervisors to consider.

- Requesting that a traffic control signal be installed at the intersection of Route 11 and Hykes Road. As part of that installation, the HOA would like to have an electric power supply and meter on one of the corners of Hykes Road East in order to provide entrance lighting for safety and visibility for all persons entering and leaving the development.
- Requesting that action be taken to complete all the remaining paving of streets within the Cedarbrook development.
- Requesting assistance with completing all the sidewalks along the public streets, including the modification of the corners of intersections, as the majority of the sidewalks terminate at the corner of the intersection without the aid of handicap assessable ramps and signage.

The Zoning Officer was directed to respond as much as possible to each of the three requests and responded as such:

- The traffic control signal at the intersection of Route 11 and Hykes Road is not required until the Molly Pitcher PRD starts construction. Norfolk Southern is supposed to contribute to this traffic light and negotiations are still ongoing. It was stated that Molly Pitcher PRD may need to acquire a right of way from Cedarbrook, therefore Cedarbrook could use this as a bargaining tool to obtain the desired electric power supply and meter for their entrance lighting.
- A letter is in the works to the developer, Springfield Contractors, to discuss the topic of paving. It was stated that history of the inspection/testing of the macadam is missing and there are issues with the bonding. A meeting will be scheduled to inspect the roads with the developer.
- The sidewalks will not be continuous as the approved plan calls for them to be constructed as each home is completed, thus at various stages. The sidewalks are constructed in the Townships right of way, but maintained by the homeowners. It was stated that the corner property owners at the intersections would have to give permission for work to be conducted and that typically the Township does not use public funds to assist one development. It was stated that perhaps Franklin County has funds that could assist with this project, and that a meeting could be scheduled with all entities to discuss further viable options.

*** Zoning Change Hearing***

A Baer/Byers motion passed 4-0 to recess the Regular Board of Supervisors Meeting, and begin the Hearing to change Zoning at 7:25 p.m.

Alleman called the Public Hearing to order for the purpose of hearing testimony on changes to the Antrim Township Zoning Map.

Alleman asked all persons that wish to testify or offer comments concerning the matters before us to stand and raise their right hand to be sworn in. Alleman encouraged everyone to stand in case they change their minds and wish to speak.

After all those standing were sworn in, Alleman instructed that all testimony should be presented directly to the Board of Supervisors, and that once recognized, clearly state full name and address for the record.

Alleman first called on the applicant John Thomas Shook for testimony.

Mr. Shook gave out an additional map of his property. It was also stated at this time that Linus Fenicle would be representing the Board of Supervisors during this hearing. Mr. Shook began his testimony by stating that planning for the different phases of the development start earlier and earlier. Mr. Shook went on to say that in 1998 he began planning for phase 3 of Melrose Meadows, which is 20% used and he is thankful for such. Preliminary drawings were made for phase 4 in 1998 and Mr. Shook is ready to initiate. The property, 71 acres on West side of Grant Shook Road, to be utilized in phase 4 is zoned as AR (agriculture) and his desire is to have it re-zoned as R1 (residential). Mr. Shook stated that a previous Board of Supervisors for Antrim Township asked that he build a pumping station to serve his development as well as Antrim Meadows, the Lutheran Church and the Myers farm. Mr. Shook said that in 2001 if he had only built the pumping station (# 25) for his needs the cost would have been \$385,000.00. But he did build the larger sized pumping station and has \$920,000.00 invested. Mr. Shook stated that he needed to recoup the cost of building this pumping station. Mr. Shook said that he was told he would be eligible for EDU's when properties connected to this pumping station. Mr. Shook stated that no other property except this 71 parcel of land would flow naturally to this pumping station, which was purposely located in the bottom corner of the property for such. Mr. Shook would like the option to build 60 to 70 homes on his property, leaving the pond and the wooded areas.

There were some questions/discussion from the Supervisors to exactly where the various lines for pump station #25 are located and how it relates to the Shanks Church Road sewer project that the Township is about to undertake.

Deb Christophel Elliott, Christophel Lane, stated that she does not have a problem with Mr. Shook's zoning change request. She asked if she desired to one day build homes on her 30 acres of land would she need to have her land rezoned. The Zoning Officer responded by saying yes, a zoning change hearing would be required. Mrs. Elliott stated she has no intention in doing so, as she enjoys her privacy.

Robert Smith, 7498 Angel Road, stated he has an issue with the minimum lot size that will be permissible with this zoning change. Mr. Smith said that the current ordinance would allow for quarter acres lots. He stated that he is not representing the Planning Commission, just his own personal viewpoint. Mr. Smith is concerned about the water quality and pressure for the persons who would build there in the future, stating it is shale ground.

Joel Wenger, 8988 Hades Church Road, stated he is the Vice Chairman of the Antrim Township Planning Commission. Mr. Wenger stated that the Planning Commission sent a letter prepared by their solicitor outlining their comments and their recommendation that this zoning change not be approved.

He asked that their recommendation be honored.

Sylvia House, Zoning Officer, outlined her reasons for not supporting the zoning change as follows:

- The comprehensive plan suggests all the land on the West side of Grant Shook Road should be zoned Agricultural. It is an area where larger lots would be supported and should not be geared towards higher densities.
- The Townships proposed zoning is consistent with the comprehensive plan and shows Agricultural zoning for this area.
- Residents have contacted the Township and stated that they are not in support of smaller lots. The residents have purchased larger lots and hoped that other lots created would be larger as well.
- The property is part of a high quality watershed. The soils are prime Class 2 soils and the crops appear to do well on the property. The property is in the Ag Security program currently.
- Grant Shook Road is not geared for higher density development, as it is a rural road.
- By opening up R1 to the West side of Grant Shook Road sets precedence. If this change is granted, how would the Supervisors deny the next proposed change request.
- There is not a need for smaller lots in the Township. Antrim has numerous lots of 40,000 sq. ft. or less. We do not have many large lots on the books.
- The Antrim Township Planning Commission does not recommend the change.
- The Franklin County Planning Commission does not recommend the change.
- It is not spot zoning as there is R-1 zoning on the east side of Grant Shook Road.

Mrs. House went on to add that she is very fond of Mr. Shook and believes he makes very nice developments. After weighing all the facts, Mrs. House said she cannot support the zoning change request.

Supervisor Young stated that his viewpoint has always been that the property to the West of Grant Shook Road should have been R1 for two reasons: 1) the Antrim Township Community Park was built and therefore land around parks should be geared towards high density areas where people actually live and can utilize the park; 2) the sewer service area map does not include this property even though the property could be prime real estate for customers to utilize pump station #25. Young commented that he would be in favor of granting this zoning change request if a condition could be placed in regarding the lot size, as he is not in favor of smaller lot sizes.

House stated that there is no way to make a conditional use on a zoning change. House cited the fact that Mr. Shook is well within his rights to go out and sell the property, and the next owner can pack homes on 15,000 sq. ft. lots and there wouldn't be anything the Township could do about it.

Linus Fenicle restated the fact that the only decision to make here is if the Supervisors would like to change the property from AG to R1, and there cannot be any conditions attached. Once changed, if the Supervisors decided, all the rules and regulations of R1 would apply.

Robert Smith commented that he is not opposed to the building of homes, just do it on the AR requirements.

Linus Fenicle recommended that it be stated for public record that in accordance with the law all neighboring land owners were notified, the property was posted, and this public hearing was advertised. Also, the Supervisors were given recommendations from both the Franklin County Planning Commission and the Antrim Township Planning Commission.

A Young/Byers motion passed 4-0 to adjourn the Zoning Hearing.

A Young/Byers motion passed 4-0 to reconvene the Regular meeting.

Alleman stated that a decision on this zoning change request could be made tonight, or it could be tabled until a later meeting within 90 days.

A Young/Baer motion was made to table the zoning hearing topic until a later date.

A Baer/Young motion passed 3-0-1 (*Byers abstained*) to approve the minutes of the May 27, 2014 Board of Supervisors Regular meeting.

A Young/Byers motion passed 3-0-1 (*Baer abstained*) to approve the minutes of the June 10, 2014 Board of Supervisors Regular meeting.

A Baer/Alleman motion passed 4-0 to approve the bills on the Treasurer's Report dated June 24, 2014.

A Baer/Young motion passed 4-0 to table the reduction in bond request from Matrix Antrim Partners (World Kitchen renovation project) until the next meeting, allowing the Township to research to see what site work actually remains, as the Supervisors thought the recommendation from Dewberry of only holding a bond for \$6,160.00 seemed low. The bond is due to expire on July 17, 2014.

Graham initiated a discussion to allow the Zoning Officer to give the Supervisors a general update on a agricultural zone usage issue. House stated that nothing has been submitted officially for production. The farm in question is in an AG district, but it wouldn't matter as agricultural usage is allowed in any zoning district in the Township. House continued by stating that if the structure to be constructed is 10,000 sq. feet or less it requires only a Land Use Permit (LUP). If the structure is over 10,000 sq. feet, it then requires a Land Development Plan, then a LUP once approved. In relation to the earth being moved, the Conservation District would be in charge of enforcing the Erosion and Sedimentation Control Plan. House further explained that the new regulations proposed by the Township provides the farmer with the right to process what the farm produces right on the farm. This will make the product ready to go straight to market, thus cutting out the middle man and allowing more profit for the farmer. Dust and air pollution are controlled by the state.

It was decided to revisit the agriculture zoning section of the proposed ordinance at the next work session set for July 22, 2014 at 6:00 p.m.

Lisko called for Executive Session.

Chuck Frame, from Boyer & Ritter, came forward to review our 2013 Annual Audited Financial Statements and two letters (Required Communication Letter and Management Letter) with the Board of Supervisors. Bill Needy, the Township's Secretary for the Elected Auditors was also in the audience. Frame stated that a meeting was held at the Township office to review in great detail with Brad Graham, Jennifer Becknell, Bill Needy, Tina Gipe (actual auditor of Township accounts for 2013) and himself. Frame went over the various balance sheets throughout the prepared report explaining how each one was derived, giving the Supervisors time to ask questions. Frame stated that we had a very healthy balance sheet. Frame pointed out that there was a deficiency of Revenues over Expenditures, which was due to over \$2 million in Capital projects being expensed. Frame stated that there were 22 Journal Audit adjustments made for Year End 2013, which was a low number and were mainly about depreciation and fixed assets. Young asked what his overall opinion was, and Frame replied by saying that the Township looked financially great. Both Frame and Young thanked Needy for attending the review meeting and giving his insights.

Pat Heraty arrived at 8:35 p.m.

A Heraty/Baer motion passed 4-1 (*Byers opposed*) to advertise the ordinance to reduce the speed limit

on Filer Road to 25 mph. Condo reported that a resident on Filer Road has requested the reduction of the speed limit and has the support of the residents on Filer Rod (signed petition). Condo did a quick speed study and a physical inspection of the road. Condo reports that this road fits the criteria to reduce the speed limit and he recommends the reduction.

Heraty called on Condo to give an update on the drainage issue at the park. The new drainage that was added to field 4 is working wonderfully. They made some grade changes on the other fields first, and then if needed, add the new drainage to them in the fall when the fields aren't being used as much. Right the now the ball fields are in good shape.

An Alleman/Young motion passed 5-0 to advertise for bids for paving the Shared Use Trail extension, to be awarded at the last meeting in July or the first meeting in August, thus allowing the Township time to obtain necessary Right of Ways.

A Baer/Byers motion passed 5-0 to deny the request for donation from the Franklin County Conservation District.

Becknell informed the Supervisors that the Township has received the Liquid Fuels Tax Fund Examination Report for the year 2012 from the Auditor General's office for the audit concluded on 12/9/13. All things found compliant, with no findings.

Becknell informed the Supervisors that in preparation for taking credit card payments online for multiple uses, a new bank account is being opened at Susquehanna Bank to be used for a clearing account. All credit card transactions will be deposited at the bank into this clearing account. At the end of each month as part of the account reconciliation process, this account will be zeroed with transfers made physically online to the proper bank accounts. This will not affect the general ledger, as the Township will be processing the credit card payments to the right accounts internally. This new account was suggested by the Township's accounting program administrator, Freedom, and approved by the Township's Administrator.

Condo gave an update on the Hykes Road paving project, which is set to start on June 30. The first three weeks will be dedicated to the drain issues, with no widening or paving until afterwards. Condo has been in touch with Jerr Dan to make sure they have a plan in place to deal with the detour.

Condo also reported that the hold-up of turning on the traffic lights at Exit 3 and Route 11 is due to the fact that the handicap ramp at the corners of this intersection must be completed before the lights can be activated.

Graham reported that he spoke to a representative with PennDOT, who reported that the signage study along Route 11 was completed. The representative stated that some signs will be removed to reduce clutter and larger directional signs will be added. This is all done in an effort to keep the tractor trailer trucks that are trying to reach World Kitchen from heading down Williamsport Pike.

Condo reported that he was able to submit a request to correct Google Map and received a response back that said they would review and make corrections.

A Young/Heraty motion passed 5-0 to adjourn the Regular Meeting and into the Executive Session at 8:55 p.m. Alleman stated that there probably would be a decision to announce after the Executive Session.

A Young/Heraty motion passed 5-0 to adjourn the Executive Session, back into the Regular meeting at 9:41 p.m.

A Heraty/Young motion passed 5-0 to take the staff's recommendation to offer employment for a Road Crew position at the recommended rate of pay. An announcement will be made following acceptance of

the position.

A Young/Alleman motion passed 5-0 to adjourn the Regular Meeting at 9:44 p.m.

Respectfully submitted,

Jennifer Becknell

Board of Supervisors Secretary