

The Straban Township Board of Supervisors met this date, as publicly advertised, at 7:00 p.m. in the meeting room of the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA 17325 with Board Chair Tony Sanders presiding. Others in attendance were: Vice-Chair Fred Kammerer; Supervisor Sharon Hamm; Office Manager/Treasurer Robin Crushong; Solicitor John S. Phillips; and Bill Hill from Wm. F. Hill & Assoc., Township Engineer.

Others in attendance were: Bob Sharrah, representing Battlefield Hearth; Tom Adair, Chair of the Recreation Board; Joseph Erb, Jr., representing Agricultural Commodities; Crissy Redding; Debbie Redding-Arnold; Bob Spangler and Ken Knox, *Gettysburg Times*.

Board Chair Tony Sanders led everyone with the Pledge to the Flag.

- Mr. Sanders informed the residents present of the next scheduled meetings: Board of Supervisors meeting on Monday, October 3, 2016; Planning Commission meeting on September 28, 2016; and Recreation Board meeting on September 19, 2016. There were no other meetings/workshops.

Public Comment:

None.

Minutes:

Ms. Hamm moved, seconded by Mr. Kammerer, to approve the August 1, 2016 meeting minutes as presented. Motion carried unanimously.

Approve Bills:

Mr. Kammerer moved, seconded by Ms. Hamm, to approve the August 11, 2016 and August 31, 2016 bills for payment. Motion carried unanimously.

Reports:

Mr. Adair reminded the Board of Supervisors about the annual Recreation Board picnic on Sunday, September 18, 2016 from 2-5 p.m. at the recreation park. Also, on the Board's agenda tonight is approval of a grant application to the Adams County Park, Recreation and Green Space Grant Program to develop the master plan for the proposed crosswalk across Old Harrisburg Road. Also, on the agenda tonight is appointing a representative to the

Countywide Bicycle and Pedestrian committee. Peter Sontheimer has expressed an interest in serving on this committee.

John S. Phillips informed the Board that the township received the Supreme Court decision in the *Becker vs. ZHB and Straban Township* case (2092CD2015) affirming the Zoning Hearing Board's denial of the variance for smaller room sizes. Mr. Phillips received an e-mail from Mr. Becker requesting a "global settlement". Mr. Phillips informed Mr. Becker to submit the Land Use Application and go through the proper procedure. There has been no decision made by the Court on the zoning enforcement matter.

Appearance:

Agricultural Commodities, Inc. – request for possible text amendment

Mr. Erb was present to present the request to the Board of Supervisors. Mr. Erb indicated that Ag Com has been at the Granite Station Road location since 1985 and are built out. To keep up with the business growth, they cannot go out any more, they need to go up. Height limit is set at 60 feet by the EC-2 District. Ag Com went before the Zoning Hearing Board for a variance for the grain silo. One of the criteria for a variance is to show hardship and this is becoming difficult to prove. It is self-created. He is proposing amending the provision of 140-13(c) and place it under a special exception of the Zoning Hearing Board which has lesser standards. It would still have to meet certain criteria but not the hardship. He is not requesting to do away with this but to allow something more reasonable in that zone. Mr. Erb read the proposed language as "Maximum building height 60 feet, except buildings and/or structures taller than 60 feet can be considered by special exception provided said height in excess of 60 feet meets the requirements as set forth pursuant to section 140-61E." Ms. Hamm asked if there would be a maximum and Mr. Erb stated that the Zoning Hearing Board could determine that at the time of the hearings. Mr. Phillips stated that a variance is more restrictive and that a special exception is permitted by right but does still have some standards to be met. **Ms. Hamm moved, seconded by Mr. Kammerer to move this proposed amendment to the provision in 140-13 (c) to the Planning Commission and the Adams County Planning Commission for review and recommendation to the Board of Supervisors. Motion carried unanimously.**

Correspondence:

Ms. Crushong announced the following:

- Central Adams Joint Comprehensive Plan – there will be a Municipal Briefing on Wednesday, October 12, 2016 from 6-8 p.m. at the Ag Center Conference Room; and a Public Workshop on Thursday, October 20, 2016 from 6-8 p.m. at the Ag Center, ACOPD Offices

- The Washington Twp Recycling in Waynesboro is opening the Electronics Recycling Program to include residents from outside of Washington Township. The rate is \$.45 per pound with a \$25 minimum per trip. The amount of electronics per trip are not limited. All units will be weighed for cost. They will be taking electronics on Tuesdays and Wednesdays from 8 am until 4 pm.
- Adams Regional EMS July and August 2016 Reports
- United Hook and Ladder July and August 2016 Reports
- Hanover Hospital Advanced Life Support (Medic 46) announced that Medic 51 will be moving to the Liberty Fire Department in East Berlin on September 1, 2016.
- E-mail from Nick Cook, Adams County Department of Emergency Services indicating that Heidlersburg has now assigned Adams Regional EMS New Oxford Station as the Primary ALS provider for Box 25-3.
- Letter dated August 28, 2016 from Sons of Union Veterans of the Civil War concerning the Gettysburg National Military Park.
- Minutes of the Gettysburg Municipal Authority Board of Directors meeting held on July 18, 2016
- Minutes of the White Run Regional Municipal Authority meeting held on July 20, 2016
- Minutes of the Adams County Council of Government meeting held on July 28, 2016

Old/New Business:

1. **Full Release of Financial Security - Starbucks** – Mr. Hill informed the Board that by letter dated August 26, 2016, his office recommends that the Township consider a full release in the amount of \$5,442.00 for the Starbucks streetscape improvements along Route 30 project. This was built according to the approved and amended Land Development Plans. **Mr. Sanders moved, seconded by Mr. Kammerer to approve a full release of the financial security for Starbucks Streetscape Plan in the amount of \$5,442.00. Motion carried unanimously.**

2. **Reduction in Financial Security – Agricultural Commodities, Inc. (1585 Granite Station Road)** - Mr. Hill informed the Board that by letter dated August 24, 2016, his office recommends that the Township consider a reduction in the amount of \$11,921.25 for the Agricultural Commodities, Inc. project. The current bond reduction total (\$11,921.25) adjusts the originally required financial security for this project from \$25,951.75 to \$14,030.50 which covers the remaining erosion and sedimentation control; stormwater management; landscaping; lighting and as built plan. **Ms. Hamm moved, seconded by Mr. Kammerer to reduce the financial security for Agricultural Commodities, Inc. by \$11,921.25 with a remaining financial security of \$14,030.50. Motion carried unanimously.**

3. **Reduction in Financial Security – Sites-Bittinger, L.P. (Lot 22 – Adams Commerce Center)** Mr. Hill informed the Board that by letter dated September 2, 2016, his office

recommends that the Township consider a reduction in the amount of \$35,950.75 for the Sites-Bittinger, L.P. project. The current bond reduction total (\$35,950.75) adjusts the currently required financial security for this project from \$43,391.70 to \$7,440.95 which covers the remaining erosion and sedimentation control; stormwater management; and miscellaneous (includes pavement restoration and as-built survey and plan). **Mr. Kammerer moved, seconded by Ms. Hamm to reduce the financial security for Sites-Bittinger by \$35,950.75 with a remaining financial security of \$7,440.95. Motion carried unanimously.**

4. Advance Auto Parts As-Built Plan – Mr. Hill informed the Board that by letter dated August 31, 2016 his office determined that the as-built plan is generally consistent with the approved and recorded Advance Auto Parts Preliminary/Final Land Development Plan. The only minor changes depicted on this plan deal with the relocation of one tree and the adjustment of the basin outfall piping. Overall, these changes are minor in nature and the recorded plan remains a fair representation of the improvements constructed on the site. Mr. Phillips indicated that he spoke to Mr. Vranich of Wm. F. Hill & Assoc. and Mr. Phillips agrees that recording of this final field change is not required. **Ms. Hamm moved, seconded by Mr. Kammerer to approve the As-Built Plan as a Final Field Change for the Advance Auto Parts Preliminary/Final Land Development Plan for Primax Properties, LLC, dated December 30, 2014, finally revised on December 4, 2015, and as recorded in the Adams County Recorder of Deeds office at Deed Book 6112, Page 65. Motion carried unanimously.**

5. Adams County Parks, Recreation and Green Space Grant Program - Mr. Kammerer moved, seconded by Ms. Hamm to authorize the filing of the Adams County Parks, Recreation and Green Space Grant Application for a master plan to construct a proposed crosswalk across Old Harrisburg Road. Jodie Evans, McMahan & Assoc. is working on the budget numbers for this project and once those numbers are finalized the application can be signed by the Chairman. The ballpark figure was around \$10,500.00 for the master plan with the grant portion being 30% and the Recreation Fund portion being 70%. The application must be filed by September 30, 2016. **Motion carried unanimously.**

6. Countywide Bicycle and Pedestrian Plan – The Recreation Board recommended the appointment of Peter Sontheimer, who expressed an interest in serving. **Ms. Hamm moved, seconded by Mr. Kammerer to appoint Peter Sontheimer as the Straban Township representative in helping to develop a Countywide Bicycle and Pedestrian Plan. Motion carried unanimously.** Ms. Hamm requested that a letter of appreciation be sent to Mr. Sontheimer. The Board appreciates the volunteered time that is given by township residents.

7. Minimum Municipal Obligation (MMO) for 2017 – **Mr. Sanders moved, seconded by Mr. Kammerer to approve the Minimum Municipal Obligation (MMO) for 2017 for the Township non-uniform pension plan. Motion carried unanimously.**

8. Members 1st Federal Credit Union – Potential Text Amendment – Ms. Hamm indicated that the Planning Commission recommended denial of this text amendment request with the Planning Commission to continue to review the substance of the change for possible incorporation in a future consolidated zoning amendment. Mr. Sharrah indicated that Members 1st understood this and have filed a variance request with the Zoning Hearing Board. **Ms. Hamm moved, seconded by Mr. Sanders to deny the requested text amendment request by Members 1st Federal Credit Union by letter dated June 6, 2016. Motion carried unanimously.**

9. MS4 Compliance – Mr. Vranich from Wm. F. Hill's office informed the Board of Supervisors by Memorandum dated August 26, 2016 that Straban Township has been considered an MS4 (Municipal Separate Storm Sewer System) municipality because of an urbanized area which runs along Route 30 and also contains the Twin Oaks / Hunters Crossing area. This area was designated as part of the Hanover Urbanized Area. Once designated as an MS4 municipality, the municipality must obtain appropriate MS4 permitting through PA DEP that will cover the MS4 area. There is a potential for a waiver of the MS4 requirements which the township would have to meet the criteria. In the past, a municipality had to apply for the waiver at the same time that it applied for permit coverage and had to basically do a lot of the same work. Now DEP is offering an "Advanced Waiver Approval" that allows a municipality to get a determination on whether they meet the waiver criteria or not early so as to avoid the extra work. If the municipality gets the advanced waiver approval, it does not have to prepare a Pollutant Reduction Plan, which saves considerable cost. If we skip the advanced approval and just submit for the waiver request when all permits are due, we must prepare a Pollutant Reduction Plan, regardless of whether we meet a waiver or not. If the municipality receives the Advanced Waiver Approval that simply means that it qualifies for the waiver. We must still formally submit for the waiver through the MS4 permitting process, but the amount of information is significantly reduced. In order to obtain the Advanced Waiver Approval, an application for the waiver must be filed by December 31, 2016. This is in advance of the deadline for the full MS4 application, which is September 16, 2017. **Mr. Sanders moved, seconded by Ms. Hamm to authorize the township engineer to prepare the Advanced Waiver Approval for MS4 compliance by December 31, 2016. Motion carried unanimously.**

Land Use Reviews:

Battlefield Hearth – Preliminary/Final Land Development Plan (1745 York Rd) – **Must act by 09/15/16** – Ms. Hamm informed the Board that the Planning Commission recommended approval of the modification and the plan conditioned upon items #2, 3 and 5 of Wm. F. Hill & Assoc. letter dated August 30, 2016 being met. Mr. Hill indicated that a Financial Security Estimate for the Battlefield Hearth, LLC project, prepared by Sharrah Design Group, Inc. in the

total amount of \$85,151.00 was received and recommended for approval by his office by letter dated September 6, 2016.

1. SALDO 117-40.A-This section requires curbing in parking areas of commercial developments. The applicant has requested a **MODIFICATION** of this section to allow for partial curbing and the use of bumper blocks.

Ms. Hamm moved, seconded by Mr. Sanders to approve the modification depicted in the Wm. F. Hill Letter dated August 30, 2016 for the Battlefield Hearth, LLC Land Development Plan with proper notation depicted on the Plan. Motion carried unanimously.

Ms. Hamm moved, seconded by Mr. Kammerer to approve the plan conditioned upon the items outlined in the review letter of Wm. F. Hill and Associates, Inc. dated August 30, 2016 to be satisfied:

2. SALDO 117-26.D-A financial security estimate must be approved and bonded prior to Final Plan approval. Financial security should be provided for any and all improvements required by the Straban Township Ordinance.

3. SALDO 117-50–Recreation land and/or fees in the amount of \$3,000 are required for this project.

5. SWM 109-32.A–The Stormwater Management Practices, Facilities, and Systems Maintenance and Monitoring Agreement must be signed and recorded prior to plan approval.

Motion carried unanimously.

Lincoln Commons – Final Subdivision & Land Development Plan (north east corner of York Road (SR30) and Shealer Road, just west of US 15) – **Must act by 09/14/16** – Ms. Hamm indicated that the Planning Commission felt there were still too many comments to be satisfied on this plan so it requested a time extension. **Mr. Sanders moved, seconded by Mr. Kammerer to approve the time extension to November 10, 2016. Motion carried unanimously.**

Public Comment:

Robert Spangler – Questioned about the cost of electronics that can now be dropped off in Waynesboro. Is there no drop off place in Adams County? The Board responded by saying that the County and municipalities are working to try and get legislation changed so that

Adams Rescue Mission can start its program back up but at this time, this is the only option available.

Questions from the Press:

None.

Adjournment:

With no further business to come before the Board, Mr. Kammerer moved, seconded by Mr. Sanders to adjourn the meeting at 7:40 p.m. this date.

Respectfully submitted,

Robin K. Crushong
Office Manager/Treasurer

The next regularly scheduled meeting for the Board of Supervisors of Straban Township will be held on October 3, 2016 at 7:00 p.m.