

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 M. Sanders presiding. Others in attendance were: Vice-Chair Fred Kammerer; Supervisor Sharon Hamm; Office Manager/Secretary-Treasurer Robin Crushong; Zoning Enforcement Officer David Clapsaddle; Solicitor Sam Wisner and Township Engineer Bill Hill.

Others in attendance were: Lawrence & Sandra Martin; Bob Spangler; Tim Spangler; John Toster; Eric Sieg; Gerald Black; Martin Munoz; Susan Munoz; Skip Strayer; Peter Martin; Joe Green; Bob Sharrah, Sharrah Design Group, Inc.; and Andrea Grabenstein, *Gettysburg Times*.

Board Chair Tony M. 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 October 7, 2019; Planning Commission meeting on September 25, 2019; Recreation Board meeting on September 16, 2019. There was a workshop on August 26, 2019 with Smith's Septic.

### **Public Comment:**

None.

### **Minutes:**

Ms. Hamm moved, seconded by Mr. Kammerer, to approve the August 5, 2019 meeting minutes as presented. Motion carried unanimously.

### **Approve Bills:**

Mr. Kammerer moved, seconded by Ms. Hamm, to approve the Augusts 15, 2019 and August 31, 2019 bills for payment. Motion carried unanimously.

### **Reports:**

None.

### **Correspondence:**

Ms. Crushong announced the following:

- Minutes of the Gettysburg Municipal Authority Board of Directors meeting held on July 15, 2019
- Minutes of the White Run Regional Municipal Authority Board meeting held on July 17, 2019
- Card of Thanks from Christina Simpson & family to the Road Crew for the excellent care and attention to the roadways during all seasons. They greatly appreciate the mowing, snow removal, repairs, etc., which is always taken care of promptly and professionally. They feel fortunate that the road crew cares so much about their work.
- January 2019 Actuarial Valuation Report and Minimum Municipal Obligation (MMO) for 2020 of the Non-Uniform Pension Plan in the amount of \$31,505. This will need to be acknowledged by the Board of Supervisors

### **Appearance:**

Susan Munoz – 1020 Hunterstown-Hampton Road

Ms. Munoz again addressed concerns she has with the proposed 700 acre solar facility in Straban Township. She requested the Board of Supervisors consider a moratorium on solar facilities. She indicated that solar panels are intended for rooftops, not to overtake farmland. The solar companies jeopardize the future members of Future Farmers of America (FFA), who might not have any farmland by the time they graduate. At the Planning Commission meeting last month a representative from the County indicated that there were five (5) different solar companies looking in Straban Township. Ms. Munoz mentioned the effects of Senate Bill 76 embellishing real estate taxes. Community Solar sent letters and invitations to open houses but did not include Ms. Munoz nor anyone on her street, to explain the solar farm. In 2010 the Board of Supervisors altered the zoning laws. This will only benefit Philadelphia. The solar companies have a right to sell the leases. A moratorium has been requested.

Martin Munoz – 1020 Hunterstown-Hampton Road

Mr. Munoz also requested a moratorium on solar facilities. He and his wife owns 3-acres in Straban Township and have been told that these solar farms will reduce the value of their property. The solar companies will outsource jobs from Philadelphia and none of the produced energy will benefit Straban. When the zoning laws were altered in 2010, the previous township and county officials aimed to benefit from the solar facilities. He closed by saying we are all neighbors and sometimes we will not agree.

Solicitor Wisner agreed that we are still neighbors and the hallmark of a civil society is civil discourse. Mr. Wisner noted that the Board of Supervisors do not have the legal ability to impose a moratorium. If you have a use that is permitted by right, the township has to allow it where it would be most reasonably suited. He also touched on the 2010 Zoning Amendment which included solar facilities and how it was very transparent with multiple public meetings.

Before the solar facilities were added as a permitted use, it went through the lengthy transparency process, nothing was slid in last minute. There were advertised public hearings which were open to public comment. Unfortunately, a lot of times citizens don't take advantage of that process the way that they should.

Mr. Kammerer disagreed with Mr. Munoz on the energy distribution. Any power generated by any facility is power that goes on the grid. The power might be used in Adams County but sold off the grid to Philadelphia. It is all mixed up once it's in the grid.

Ms. Hamm noted that the Board members are elected officials that are required to comply with the ordinances put in front of them.

Mr. Sanders disagreed with Mr. Munoz statement that the Board will benefit from the solar facilities. Mr. Sanders does this job as a service to his community.

### **Old/New Business:**

- 1. Minimum Municipal Obligation for 2020 – Ms. Hamm moved, seconded by Mr. Kammerer to acknowledge receipt of the Minimum Municipal Obligation for 2020 in the amount of \$31,505. Motion carried unanimously.**
- 2. Twin Oaks Project – Mr. Sanders indicated that there will need to be two motions, one for the curb work at Johnson Drive in accordance with the request of the Recreation Board and the other on the sewer project. Mr. Sanders moved, seconded by Mr. Kammerer to authorize Payment Request No. 5 to G. B. Groft, Inc. in the amount of \$23,275.00 for the sewer project. Motion carried unanimously. Mr. Sanders moved, seconded by Mr. Kammerer to authorize payment to G.B. Groft, Inc. for 80% of the cost in the amount of \$5,880.00 for the curb work at Johnson Drive. Motion carried unanimously.**
- 3. Appointment of Recreation Board Member – A letter dated August 20, 2019 was received from James A. Dunlop indicating his interest in joining the Recreation Board. Ms. Hamm moved, seconded by Mr. Kammerer to appoint James A. Dunlop as a member to the Recreation Board with a term to expire on December 31, 2022. Motion carried unanimously.**
- 4. Ordinance Advertisement for Public Hearing – Solicitor Wisner informed the public that there are two (2) proposed ordinances for consideration. Chapter 140, Article II, Section 140-5 is amended to add definitions for "agricultural operation" and "agriculture" and Chapter 140, Article III, Section 140-13, Table 140-13-1, entitled "EC-2 Allowed Uses", under Section 140-13(B)(1) to be amended to include "Facilities for the treatment and processing of solid waste" as an industrial use permitted by special exception. The other ordinance would add to Chapter**

112, entitled "Streets and Sidewalks", an Article II, entitled "Street Openings and excavations", regulating openings and excavations in or under the streets, highways, and rights-of-way. To define "engineer", "excavation", "newly paved street", "permittee", "person", and "street", to provide for financial security and insurance, to know who is doing the work and include resources to do the work properly. The advertisement indicates that after the hearing the Board intends to take action on the ordinances that evening. Ms. Hamm stated that the Planning Commission and Adams County Planning and Development Office did review the ordinances and recommend to move them forward. **Ms. Hamm moved, seconded by Mr. Sanders to authorize the advertisement for a public hearing on October 7, 2019 at 6:30 p.m. for the adoption of an ordinance outlining amendments to Chapter 140 (Zoning) and an ordinance to include an article in Chapter 112 (Streets and Sidewalks) of the Code of Ordinances. Motion carried unanimously.**

**5. Financial Security Reduction Request for Sheetz Store #326 Re-Build** – Wm. F. Hill and Assoc., Inc. recommended, by letter dated August 5, 2019, that the Township consider a reduction in the amount of \$621,611.11 for the Sheetz Store #326 Re-Build project. The current bond reduction total (\$621,611.11) adjusts the originally required financial security for this project from \$629,644.85 to \$8,033.74. The landowner has provided the signed copy of the Request for Release or Reduction of Financial Security form. **Mr. Kammerer moved, seconded by Ms. Hamm approve the reduction in the amount of \$621,611.11 for the Sheetz Store #326 Re-Build project. The current bond reduction total (\$621,611.11) adjusts the originally required financial security for this project from \$629,644.85 to \$8,033.74. Motion carried unanimously.**

Based on the site inspection by Wm. F. Hill & Assoc., Inc. on August 1, 2019, the landscaping portion of the Sheetz Store #326 Re-Build project is completed as per the Final Plan dated April 27, 2015. Wm. F. Hill & Assoc., Inc. recommended, by letter dated August 5, 2019, the total financial security of \$7,074.00 be released. The landowner has provided the signed copy of the Request for Release or Reduction of Financial Security form. **Mr. Kammerer moved, seconded by Ms. Hamm approve the release of the total financial security in the amount of \$7,074.00. Motion carried unanimously.**

**6. Purchase of Maintenance Vehicle** – Mr. Sanders indicated that the road crew was looking into purchasing a dump truck. There would be two vendors one being Western Star (for the truck) and MJR Equipment for the up fittings like snow plow, spreader, etc. **Mr. Sanders moved, seconded by Mr. Kammerer to authorize the purchase of a maintenance vehicle from a Co-Stars contract using Liquid Fuels Funds and General Funds from Western Star (\$115,124) and MJR Equipment (\$68,958.56). Motion carried unanimously.**

**Land Use Reviews:**

***TKC CCXXX (Gettysburg Shopping Center) – Preliminary Land Development Plan (1530 York Road) - Must act by 09/15/19***

**Ms. Hamm moved, seconded by Mr. Kammerer to approve the time extension request to November 15, 2019. Motion carried unanimously.**

***Mark Gettysburg – Preliminary Subdivision/Land Development Plan (York Road) - Must act by 09/15/19***

Ms. Hamm stated that the Planning Commission recommended approval of the time extension requested by Sharrah Design Group, Inc. in a letter dated August 23, 2019 through to March 15, 2020.

**Ms. Hamm moved, seconded by Mr. Kammerer to approve the time extension request to March 15, 2020. Motion carried unanimously.**

***Stonehedge – ACEDC Lot #17 – Phase I – Final Land Development Plan (1755 Proline Place) - Must act by 10/10/19.***

Ms. Hamm stated that the Planning Commission recommended conditional approval. Mr. Hill indicated that all the conditions from the Planning Commission are still outstanding. There is a waiver and a modification to be reaffirmed.

**Ms. Hamm moved, seconded by Mr. Kammerer to reaffirm the following waiver and modification:**

2.a. SALDO 117-20.K, 117-27.B(32), 117-52 – These sections establish the requirements for a Traffic Impact Study. A **Waiver** of this section was granted based on the notation provided on the cover sheet.

2.b. SALDO 117-40 – This section requires curbing in areas of non-residential parking lots. A **Modification** of this section was granted based on the stormwater design for the site.

**Motion carried unanimously.**

**Ms. Hamm moved, seconded by Mr. Kammerer to conditionally approve the plan based on the review letter of Wm. F. Hill & Assoc., Inc. dated August 20, 2019 to be satisfied as follows:**

1. a) SALDO 117-27.B(8) – The seal and signatures of all professionals involved with the Plan.

b) SALDO 117-27.B(29) – Owner/Developer’s Acknowledgement and signature.

3. SALDO 117-26.D – A financial security estimate must be provided, approved, and bonded prior to Final Plan approval. Financial security should be provided for any and all improvements required by the Straban Township Ordinances for the construction of Phase 1 that have not yet been satisfactorily completed by the time at which the Final Plan is signed.

4. SALDO 117-42 – This section establishes that, where practical, all lots must be connected to public sewer systems. Evidence must be provided that capacity within the GMA system has been purchased or otherwise reserved prior to signature of the Final Plan.

5. SALDO 117-50 – Recreation land and/or fees (estimated at \$3,500 for Phase I) are required for the Development.

6. This project will be subject to impact fees for transportation capital improvements at time of building permit submission, in accordance with the settlement agreement.

**Motion carried unanimously.**

***Amblebrook – Amenity Area Lots H-1 & H-7 – Preliminary/Final Land Development Plan (Shriver’s Corner Road) - Must act by 10/01/19***

Ms. Hamm stated that the Planning Commission recommended approval of a time extension.

**Ms. Hamm moved, seconded by Mr. Kammerer to approve the time extension request from Sharrah Design Group, Inc. dated September 3, 2019 to October 10, 2019. Motion carried unanimously.**

**Public Comment:**

None.

**Questions from the Press:**

None.

Mr. Sanders asked Peter Martin about the back-fill of the sewer and water out at Amblebrook. The reports that the Board of Supervisors are getting are not very good. The township understands that it will not be taking the sewer/water plant over, however, if something does

go wrong the residents will come to the township. Where is York Water representative in all of this? Mr. Martin indicated that York Water is fine with the work being done. York Water is on site. He assured the township that it is all being done in accordance to the highest standards. Ms. Hamm would like to be provided with reports on everything that has been covered and expects that the data and records being kept are very good. It was agreed that a workshop needs to be scheduled.

**Adjournment:**

With no further business to come before the Board, Mr. Kammerer moved, seconded by Ms. Hamm to adjourn the meeting at 8:00 p.m. this date.

Respectfully submitted,

Robin K. Crushong  
Office Manager/Secretary-Treasurer

**The next regularly scheduled meeting for the Board of Supervisors of Straban Township will be held on Monday, October 7, 2019 at 7:00 p.m.**