

Cumberland Township Board of Supervisors
November 21, 2013
Public Hearing for Ordinance to add “Planned Unit Developments”
as a Permitted Use in the Mixed-Use zoning district
6:30 p.m.

At 6:35 p.m., Chair Underwood called the public hearing to order. Present were Supervisors Toddes, Waybright and Ferranto. Supervisor Shealer was absent. Also present were Solicitor Wisner, Township Manager Ben Thomas, Jr., Assistant Secretary Carol Merryman, Zoning Officer Bill Naugle and Court Reporter Deb Zepp. Others present were Kim Patrono, Pat Abell, Rob and Steve Lauriello, Jim Henderson, Steve Tallman, Jean Stone, Carolyn Greaney and Dale Molina.

Solicitor Wisner asked for comments both for and against the proposed text amendment to add “Planned Unit Developments” as a permitted use in the Mixed-Use zoning district. There were no comments and the hearing was closed at 6:39 p.m.

Workshop Minutes
7:00 p.m.

Chair Underwood called the workshop to order at 7:00 p.m. Present were Supervisors Waybright, Toddes and Ferranto; Township Manager Ben Thomas, Jr., Solicitor Sam Wisner, Assistant Secretary Carol Merryman, Leah Heine for Township Engineer Tim Knoebel and Zoning Officer Bill Naugle. Others present were: Dale Molina, Carolyn Greaney, Pat Abell, Solicitor Kim Patrono, Steve and Rob Lauriello, Jim Henderson, Steve Tallman, Don Kauffman, Jean Stone, Barry Stone arrived later, Jim Paddock, Elizabeth Magner, Dr. Larry Redding, Brian Bingeman, Beth Kanagy from the Gettysburg Times and Vanessa Pellichio from The Evening Sun. The workshop was recorded.

Chair Underwood asked the Board for discussion on the proposed text amendment and Solicitor Wisner explained the comments from Adams County Office of Planning and Development. Solicitor Wisner stated that “Planned Unit Development” is an ownership form that is used as a planning tool and feels that the amendment clears up ambiguity in the Township’s Zoning Ordinance. Solicitor Wisner also stated that the advertisement for the public hearing did include possible action by the Board during the workshop. Mr. Ferranto added that the Township’s Planning Commission unanimously recommended approval of the text amendment. **Mr. Ferranto made a motion to accept the proposal from Summit Partners, LLC for a text amendment to add “Planned Unit Development” as a permitted use in the Mixed-Use zoning district seconded by Mr. Toddes and carried.**

Solicitor Wisner also reported that the Board held an Executive Session prior to the public hearing from approximately 5:30 p.m. until 6:25 p.m. for discussion of quasi-judicial deliberations, personnel issues and pending litigation.

Engineer/Plans: Leah Heine reported on the following:

Bond release for Gettysburg National Battlefield Museum and Visitor’s Center – full release was recommended in KPI’s memo dated November 5, 2013. **Mr. Waybright made a motion to grant full release, in the amount of \$56,000.00, for the Gettysburg National Battlefield Museum and Visitor’s Center seconded by Mr. Toddes and carried.**

Bond reduction request #4 for Cumberland Village – Phase 1B – release of \$5,727.20 recommended in KPI’s memo dated November 19, 2013. **Mr. Toddes made a motion to approve a release of \$5,727.20 for Cumberland Village – Phase 1B, retaining \$141,794.40, seconded by Mr. Ferranto and carried.**

Bond reduction request #3 for Cumberland Village – Phase 1C – release of \$245,087.46 recommended in KPI’s memo dated November 19, 2013. **Mr. Waybright made a motion to approve a release of \$245,087.46 for**

Cumberland Village – Phase 1C, retaining \$703,497.74, seconded by Mr. Toddes and carried.

Gettysburg Area School District Stadium Renovations and Improvements Final Land Development Plan – KPI review letter dated November 20, 2013. The Board expressed concern about the Park Service’s review and approval of the stormwater run-off that will run onto their property. Dr. Larry Redding explained that they had met with a representative from the Park Service and he agreed to get the Township a letter from the Park Service. Ms. Heine read through their comments and Brian Bingeman from Turf, Track and Court LLC, on behalf of the school district, also commented. Mr. Bingeman stated that he will get some of the plan modifications to KPI early next week. The Board agreed to wait until Tuesday night’s meeting to take action on the plan.

Request for Extension for Cumberland Village, Phase II Preliminary Plan – letter dated October 1, 2013 from Woodhaven Building and Development, Inc. explains reasons that a one-year extension is needed dealing mainly with water and sewer for the development. **Mr. Ferranto made a motion to grant the request for extension for Cumberland Village, Phase II for one-year until December 3, 2014 seconded by Mr. Waybright and carried.**

Public comment:

Mr. Don Kauffman, 56 Bittern Drive, asked the Board not to grant the Brandon and Waverly Keller property inclusion into the Agricultural Security Area because he feels that the Keller’s are not following through with the conditions placed by the Township and the granting of any benefit to them should wait until they have demonstrated that they are complying with the conditions.

Ms. Elizabeth Magner, 470 Belmont Road, asked the status of the Keller operation and if they are still in violation of the conditions. She added that he has cut down trees on his property and she can see the building from her property because the trees are deciduous.

Manager: Mr. Thomas reported the following:

The Board has to consider the proposal from Brandon and Waverly Keller for inclusion of their property, located at 1714 Mummasburg Road, in the Township’s Agricultural Security Area (ASA). Mr. Thomas recommended that the Board table any action on the ASA application pending the active enforcement action on the property and recommended that the Board take action after the enforcement action has been resolved. Solicitor Wisner stated that the Board cannot discuss active enforcement actions and he asked Ms. Magner to put her concerns in writing and notify the Code Enforcement Officer. **Mr. Ferranto made a motion to table action on the Keller ASA application until the enforcement action is resolved seconded by Mr. Toddes and carried.**

The Board has deemed a 1996 Ford F-250 pick-up with plow as surplus and advertised for sale by sealed bids that were opened on November 14, 2013. The lowest bid was \$4,600.00 and the highest bid was \$8,182.38. **Mr. Toddes made a motion to accept the high bid from John Machamer, in the amount of \$8,182.23, seconded by Mr. Ferranto and carried.**

Mr. Ferranto made a motion to approve a \$1,800.00 expense for barricades to properly close the roads for safety reasons in support of “Dedication Day, the 150th Anniversary of the Gettysburg Address” on November 19, 2013, subject to reimbursement from the Commonwealth of Pennsylvania, seconded by Mr. Waybright and carried.

The Board received a draft copy of a Memorandum of Understanding (MOU) between the Township and Fire/EMS providers for their review. Mr. Thomas added that the MOU was originally authored by the COG and reviewed by Co-Solicitor Jason Kelso who did recommend some changes. Chair Underwood suggested that bi-annual payments should be sufficient rather than quarterly payments. Mr. Thomas suggested June 30th and December 31st for payment dates striking March 15th and September 15th. Solicitor Wisner will see that this

change is made and the MOU will then be forwarded to the fire companies. **Mr. Waybright made a motion to approve the Memorandum of Understanding, as amended, and for the MOU to be forwarded to the fire companies seconded by Mr. Ferranto and carried.**

Mr. Thomas presented a few revisions that were made to the revenues in the Preliminary General Fund Budget. He reported that the total reimbursement from the Commonwealth of PA for the 150th Commemoration is \$43,252.73, is not expected until 2014 and is not reflected in the preliminary budget yet and neither is the grant money for the Sentz Road project that will go back in to the State Fund in the amount of \$19,924.00. Mr. Thomas also reported that the PA Transportation Bill did pass and the Township's Liquid Fuels allocation may increase by about 70% by 2015. He also pointed out a few things that the Board will have to decide on before the preliminary budgets can be adopted at next Tuesday night's regular meeting including the .25 mill Fire Tax and the requested contribution to Rabbit Transit.

Mr. Thomas reported that he has been asked to serve on a working group to help the PA Senate pursue legislative channels that will assist firefighters that face daunting demands on their time, resources and personal safety and he will be volunteering to serve if the Board has no objections.

Solicitor: No further report.

Committee Reports:

Planning/Zoning/Comprehensive Plan – Chair Underwood announced that the next meeting will be held on December 3rd.

Public Safety – Executive session.

Finance Committee – No report.

Park and Rec – Mr. Toddes handed out a draft Memorandum of Understanding (MOU) for the Gettysburg Area Recreation Authority (GARA) for the Board's review.

Personnel – No report.

CTA – Mr. Thomas reported that the pumping stations project is now winding down.

COG – Chair Underwood reported that the slate of officers for 2014 are Sharon Hamm – President; Carol Smith – Vice-President; Sandy Vasquez – Secretary and Colleen Reamer – Treasurer.

ACTPO - No report.

Economic Development – Chair Underwood reported that the economic portion of Planning and Development for the County will be presenting their economic ideas to the County Commissioners sometime in December and they had over 800 responses to their questionnaire.

150th Commemoration – Mr. Ferranto reported on the November 19th Dedication Day and felt that it was a great event. He added that the Remembrance Day Parade will be held in Gettysburg on Saturday and it may be the largest one that we will ever see.

CT411 – Chair Underwood would like the Township to present a Certificate of Appreciation to Superintendent Bob Kirby, who is retiring, for his contribution in opening up the lines of communication with the Township. The Board was in agreement with this. Chair Underwood also reported that the Broadband Task Force will be making a presentation to the County Commissioners at HACC on December 16, 2013 at 9:00 a.m.

There being no further business, the meeting was adjourned at 8:30 p.m.

Carol A. Merryman, Asst. Secretary

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