

Minutes of the April 17, 2008 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairman Gregor. Present were all Supervisors; Solicitor Tom Campbell, Chief Boehs, Carol Merryman, Tim Knoebel, Tina Fackler, Bob Sharrah, Mike Galassi, Elizabeth Magner, Carl Athey, Ed Krantz, Stephanie Mendenhall, Erin James from the Evening Sun and Scot Pitzer from the Gettysburg Times. The meeting was tape-recorded.

Mr. Shealer made a motion to approve the Minutes of the April 8, 2008 meeting, as presented, seconded by Mrs. Golden and carried.

Mrs. Underwood made a motion to approve the bills list, in the amount of \$71,275.00 from the General Fund, seconded by Mrs. Golden and carried.

No visitors addressed the Board and there was no Old Business.

The first item under New Business was a proposed ordinance amending the MX Zoning District. Chairman Gregor reviewed what had transpired bringing the Board to this proposed amendment. He reported that in January 2007 the Township received a request for a curative amendment dealing with Theme and Amusement Parks because the Zoning Ordinance, adopted in 2003, did not address these uses. The Board held a public hearing in April 2007 regarding the curative amendment and the applicant subsequently withdrew their application for the amendment. This made the Board realize that the Zoning Ordinance did not include the necessary language that it must provide for by law and provide for all various uses that can be envisioned. The Board decided to move forward with an amendment and hired a consultant, Tina Fackler of Planning Principles, and worked on an amendment that would meet the needs of the Township and alleviate any future applications for curative amendments. He added that a public hearing on the amendment was held on October 30, 2007 and public comments were received at that hearing. Since October there were many factors that caused a delay in action on the amendment until this evening including; a change in Board members, a new Solicitor and sickness. Chairman Gregor read the title of the Ordinance 120 of 2008, as follows:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE ZONING ORDINANCE OF CUMBERLAND TOWNSHIP OF 2003, CHAPTER 27 OF THE TOWNSHIP OF CUMBERLAND CODE OF ORDINANCES, BY ADDING DEFINITIONS FOR THEME/AMUSEMENT/ENTERTAINMENT/WATER PARKS AND THEATER, CONCERT HALL, OR SIMILAR ESTABLISHMENT; CHANGING THE DEFINITION OF HEIGHT; CHANGING/SUPPLEMENTING GENERAL PROVISIONS FOR MIXED USE DISTRICTS; ADDING THEME/AMUSEMENT/ENTERTAINMENT/WATER PARKS AND THEATER, CONCERT HALL, OR SIMILAR ESTABLISHMENT AS CONDITIONAL USES PERMITTED IN MIXED USE OR BUSINESS PARK DISTRICT; ADDING SPECIAL USE CRITERIA IN THE MIXED USE DISTRICT FOR THEME/AMUSEMENT/ENTERTAINMENT/WATER PARKS AND THEATER, CONCERT HALL, OR SIMILAR ESTABLISHMENT; AND ADDING PROVISIONS FOR OVER-FLOW RESERVE PARKING LOTS AND LIGHTING IN PARKING LOTS.

Mr. Shealer made a motion to adopt Ordinance 120 of 2008 amending and supplementing the Zoning Ordinance, as stated, seconded by Mrs. Underwood. A roll call vote was taken as follows: Mrs. Underwood – in favor, Mrs. Golden – in favor, Mr. Gregor – in favor, Mr. Waybright – in favor and Mr. Shealer – in favor. The motion carried.

Mr. Knoebel explained that the next item is a Sewage Planning Module for the Donald A. Gantz Estate two-lot subdivision on Sachs Road. He added that the module must be sent to PADEP for their approval prior to approval of the subdivision plan. **Mrs. Underwood made a motion to approve the Donald A. Gantz Planning Module seconded by Mr. Waybright and carried.**

Mr. Knoebel also explained that the next item is a Minor Subdivision for Lot Addition for Lot 20 in Cannon Ridge, Phase II. The plan proposes to move the western lot line of Lot 20 one foot west so that the constructed dwelling on Lot 20 complies with side yard setback requirements. Mr. Knoebel added that they will need to revise Phase III plans to show this change. **Mr. Shealer made a motion to approve the Minor Subdivision for Lot Addition for Lot 20 Cannon Ridge seconded by Mrs. Golden and carried.**

Chairman Gregor reported that there are four requests for bond reductions on the agenda and Mr. Knoebel has supplied letters of recommendation for each request.

Mr. Waybright made a motion to approve a bond reduction (requisition no. 2) for Cambridge Crossing, in the amount of \$53,848.97, retaining \$346,099.09, seconded by Mr. Shealer and carried.

Mr. Shealer made a motion seconded by Mrs. Golden and carried to approve a full release of financial security, in the amount of \$3,700.00, for Kevin Brown of Excalibur Towing, 807 Old Harrisburg Road.

The Meadows, Phase II, Bond Expiration Report needed no action. The township has received confirmation from the financial institution that the bond is automatically renewed.

Mr. Waybright made a motion to reduce the bonding for a private road for Joseph Tripi, in the amount of \$95,170.66, retaining \$32,771.00 and requiring a revised bond be provided by the close of business on May 2, 2008 seconded by Mrs. Underwood and carried.

Chairman Gregor reported that the next items are seven requests for extension. Mr. Knoebel recommended approval of all requests.

Mrs. Golden made a motion to approve a 90-day extension for D & L Enterprises Preliminary Plan seconded by Mr. Waybright and carried. Approval is now needed by August 1, 2008.

Mr. Shealer made a motion to approve a 90-day extension for Pickett's Choice Condominiums Preliminary Plan seconded by Mr. Waybright and carried. Approval is now needed by July 28, 2008.

Mrs. Underwood made a motion to approve a 35-day extension for Cumberland Crossings Preliminary Plan seconded by Mrs. Golden and carried. Approval is now needed by May 28, 2008.

Mr. Waybright made a motion to approve a request to extend the approval period for Cumberland Village, Phase II, Preliminary Plan until July 31, 2008 seconded by Mr. Shealer and carried.

Mr. Shealer made a motion seconded by Mrs. Golden and carried to approve a 90-day request for extension for the Arthur Shaw – Old Mill Road Pumping Station Final Plan. Approval is now needed by August 5, 2008.

Mrs. Golden made a motion to approve a 90-day request for extension for The Crossings I, Phase I Final Plan seconded by Mr. Waybright and carried. Approval is now needed by August 6, 2008.

Mrs. Underwood made a motion to approve a 90-day request for extension for The Crossings II Preliminary Plan seconded by Mr. Waybright and carried. Approval is now needed by August 4, 2008.

Mr. Shealer reported that there was a slight increase in our Liquid Fuels allocation this year. The amount of the allocation is \$177,846.10. He also received a request from Barlow Fire Department for stones to be placed on Ridge Road Ext. He explained that Barlow purchased property and need to use the road for access, but the township has not been maintaining that portion of the road. The cost of the stone will be approximately \$500.00. **Mr. Waybright made a motion to place stones on Ridge Rd. Ext. seconded by Mrs. Underwood and carried.** Mr. Shealer reported that Barlow also requested 12 handicapped parking signs which would cost approximately \$125.00. **Mrs. Golden made a motion to approve Barlow's request to supply 12 handicapped parking signs seconded by Mr. Waybright and carried.** Lastly, Mr. Shealer reported that PennDOT denied the township's request for identification signs (supplied and designed by Mrs. Golden) at the township lines on state roads because the signs are not PennDOT approved and the township must supply a reason for the signs. He added that a reason could be for our Police Department and they would need to supply us with a letter. He stated that once we go through this process PennDOT would install and maintain signs at our boundaries on all state roads. Mrs. Golden requested that the Board authorize her to make some phone calls to see if her signs could be approved for the township's use. The Board was in agreement.

Being no further business, the meeting was adjourned at 7:35 p.m. by motion of Mr. Shealer, seconded by Mrs. Underwood and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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