



Dickinson Township  
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## BOARD OF SUPERVISORS REGULAR MEETING DECEMBER 16, 2013

**PRESENT:** BOB WRIGHTSTONE, J.R. BARRETT (*late 6:09pm*), JONATHAN REISINGER - SUPERVISORS; Laura Portillo, Manager; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Denise Gembusia, Secretary/Treasurer; Susan Smith, Township Solicitor.

**VISITORS:** Nathan Wolf, Michelle Line, Stacy Wolf, Bob Line, Sharon Barker, Kathleen Harvey, Dennis Harvey, Richard Koch, Walter Eckman, Ian Eckman, Ken Giffhorn, Ray Jones, Jacquie Hultquist, Ronald Fevola, S. Barno, Anna Batz, Jim Strader, Bill Barker, Ron Secary, John Madden, Carol Rutten, Barbara Hacker, Richard Hacker, Bill Chain, Troy Briggs, Charlie Courtney, Chuck Stehlik, Dan Wyrick, David Dennison, Lucas Flickinger, Sue Ellen Dennison, Judy Brough, Lloyd Hair, Michael Knewting, Dan Alderman, Doug Shaffer, William Johnston, Brian Knowles, Mark Weichard, Jean Weichard, Kathy Johnston.

### CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Wrightstone called the meeting to order at 6:00pm and led the audience in the pledge of allegiance.

### OPENING ANNOUNCEMENTS

There is currently a vacancy on the Planning Commission. Park & Recreation is also seeking volunteers to join their Board. Interested applicants should contact the Township Manager at [manager@dickinsontownship.org](mailto:manager@dickinsontownship.org) for more information.

### APPROVAL OF AGENDA

Vice Chairman Reisinger motioned to approve the agenda as submitted. Chairman Wrightstone seconded the motion and it passed with a 2 – 0 vote.

### APPROVAL OF MINUTES

#### 1. November 18, 2013 Board of Supervisors Meeting Minutes

Chairman Wrightstone motioned to approve the November 18, 2013 Board of Supervisors regular meeting minutes as submitted. Vice Chairman Reisinger seconded the motion and it passed with a 2-0 vote.

### CONSENT AGENDA

Vice Chairman Reisinger motioned to approve the consent agenda as submitted. Chairman Wrightstone seconded the motion and it passed, 2 – 0, with the following items approved:

1. Pay Bills
2. Ratify bill payments from December 2, 2013

## **CHAIRMAN'S REPORT**

Chairman Wrightstone mentioned that there were quite a few people present at the meeting and asked everyone to be respectful of others' opinions during public input.

## **PUBLIC HEARINGS**

### ***1. Continuation of Goodman Birtcher Zoning Map Amendment.***

Chairman Wrightstone opened the continuation of the public hearing for the Goodman Birtcher zoning map amendment request at 6:03pm. Solicitor Smith stated that the continuation of the hearing was properly advertised in the newspaper twice, as required by law. The following people offered their comments for the record:

- Nathan Wolf spoke in opposition of the request.
- Michelle Line spoke in opposition of the request.
- Stacy Wolf spoke in opposition of the request.
- Bob Line spoke in opposition of the request.
- Sharon Barker spoke in opposition of the request.
- Ken Giffhorn spoke in opposition of the request.
- Ray Jones spoke in opposition of the request.
- Del Hawbecker provided written comment in favor of the request.
- Ellen Colyer provided written comment in opposition of the request.
- Bob Line provided written comment in opposition of the request.
- David Loring provided written comment in favor of the request.
- James Strader spoke in opposition of the request.
- Richard Hacker spoke in opposition of the request.
- Charles Courtney spoke in favor of the request.
- Dan Wyrick spoke in opposition of the request.
- Lloyd Hair spoke in favor of the request.
- Sue Ellen Dennison spoke in opposition of the request.
- Walter Eckman spoke in opposition of the request.
- Judy Brough spoke in opposition of the request and provided written comments.
- Bill Barker spoke in opposition of the request.
- Michael Knewting spoke in favor of the request.
- Doug Shaffer spoke in favor of the request.
- Dan Alderman spoke in favor of the request.
- Ian Eckman spoke in opposition of the request.
- Ron Fevola spoke in opposition of the request.
- Brian Knowles spoke in favor of the request.
- William Johnston spoke in opposition of the request.

The hearing was closed by Chairman Wrightstone at 7:38pm.

## **PLAN REVIEW/CONDITIONAL USE HEARINGS**

### ***1. Sewage Planning Module for Charles & Martha Hersh – Resolution 2013-12.***

In January 2012, the Board of Supervisors approved a final minor subdivision plan for Charles and Martha Hersh. Two lots were subdivided off a parent track as non-buildable lots with the residual lot retaining the original homestead. The current executor of the estate has submitted a sewage planning module for review and approval to allow lot #1 to be used as a buildable lot. This lot is 11.87 acres and located on Walnut Bottom Road at the intersection of Burnt House Road. Probes for on-lot testing were completed by the Township SEO, Gil Picarelli. Percolation tests were performed

and the planning module was approved through the SEO's signature. The applicant secured a preliminary hydrogeological evaluation of the lot to determine the required lot size to handle any additional nitrate loading. This evaluation determined that a 4-bedroom home would need to have a minimum lot size of 3.02 acres. Zoning Officer Barrick explained that this was requested by the executor of the estate on behalf of the potential buyer. He noted that the original plan was granted with three waivers; a non-building declaration, existing contours and preliminary plan.

Ray Jones asked how large the subdivision was for this request. The Board explained that the lot is 11 acres.

Vice Chairman Reisinger motioned to forward the Charles and Martha Hersh sewage planning module to DEP for approval. The motion was seconded by Supervisor Barrett and passed unanimously.

### **PUBLIC INPUT (non-agenda items)**

There was no public input.

### **EMERGENCY SERVICES REPORT**

No representative was present.

### **NEW BUSINESS**

1. *Approval of meeting calendar for 2014 and authorization to advertise.*  
The Board gave consensus for the Manager to advertise the 2014 calendar and meeting dates as presented.
2. *Judy Brough's resignation as alternate to Zoning Hearing Board.*  
The Board accepted the resignation of Mrs. Brough and thanked her for serving.

### **OLD BUSINESS**

1. *Zoning/Saldo Draft Ordinances – task force progress.*  
Each supervisor discussed their group progression. Each group will resume discussions after the Christmas holiday.
2. *Goodman Birtcher application to amend Zoning Map and Zoning Ordinance.*  
Solicitor Smith stated that the intent to act on the application was posted in the newspaper as required by law.

Each Supervisor presented their personal feelings on the application, providing reasons behind their decision to proceed with approving the text amendments. All three Supervisors were in favor of amending the text of the zoning ordinance assuming it would be planned properly. The decision was made to tackle each requested change separately with discussion.

Building height was discussed first. EMS personnel assured that they would be able to handle a fire on a 50 foot high building. With this assurance, the Board of Supervisors accepted the language proposed for Section 205-69.4D to read, "The maximum building height may be increased by one foot for every two feet by which the building exceeds applicable minimum yard requirements, up to a maximum building height of fifty feet (50')".

The subject of maximum impervious coverage was discussed next. The Board agreed with the Township Planning Commission's recommendation to have Section 205-69.4C read, "The

subject property shall have a minimum lot area of 5 acres and a minimum lot width of 300 feet (300'). Maximum lot coverage of 50% for on lot sewer, 60% with public water or public sewer, and 70% if serviced by both public water and sewer shall be permitted.”

Maximum lot size was deleted as a requirement.

Buffer yard requirements and setbacks were discussed. The Board agreed with the Township Planning Commissions' recommendation of changing buffer yard requirements so that a 200 foot buffer is applied to any agricultural, low-density residential, conservation, medium-density residential office and business-recreation zones. Buffer yard setbacks would remain 200 feet along adjoining residential uses that are located in any other zoning district (Section 205-69.4T(i)).

Building, access drives, staging areas, loading and unloading zoning setback was approved as recommended by the proposed Goodman-Birtcher, to be no closer than 500 feet from low-density residential, agricultural and medium-density residential zones (Section 205-69.4I).

Section 205-69.4T was agreed upon to have buffer yards comply with the provisions of Section 205-30 of the Chapter, except that buffer yards shall be increased to 200 feet along adjoining lands in the Township's agricultural, low-density residential and medium-density residential office districts and to 200 feet along adjoining residential uses that are located in any other zoning district. Additionally, this section will require that within the buffer yards adjoining such districts or residential uses, the screen and landscape plantings required for vegetative screens shall be provided on an earthen berm having a 3 foot run over 1 foot rise (maximum slope of three to one) and a minimum height of fifteen feet (15') above grade. The Supervisors noted that Section 205-30B(7) will not be applicable in these requirements.

Kathy Johnston asked if three warehouses were going to be erected at the site. The Board said the decision to erect at least one of the proposed buildings remained up to West Pennsboro Township.

Nathan Wolf stated that lighting from a 50 foot building cannot be hidden by a 15 foot berm.

Doug Shaffer suggested the warehouse use box lighting to help control light pollution.

Bill Walker asked if certain language could be included in the text amendments requiring the use of certain trees for landscape plantings. The Board explained that the language was already in place. Mr. Walker also suggested dropping the maximum height at which lighting can be placed on the warehouse.

Bob Line asked if the language suggested in the changes qualifies his property as BR as zoned or agricultural, as it is used. He also supported the idea of lowering the lighting height. Solicitor Smith said that his property would be subject to the 200 foot setback requirements.

Jean Weichard expressed her concern over the welfare of children and the break-down of the family unit in the Ritner Highway neighborhoods.

Ken Giffhorn recommended dissolving the Dickinson Township Planning Commission and reappointing Goodman-Birtcher to plan for land use in the township since the Supervisors did not follow the Planning Commission's recommendations.

Kathy Johnston asked if cross-traffic would be allowed from warehouse to warehouse. The Board said that the issue would be discussed in a different phase of the warehouse planning. Mrs. Johnston questioned if there would be a need for another traffic light in the area.

Nathan Wolf wondered how the berm would impact lighting coming into a second floor bedroom.

Mark Weichard commented that he has difficulty getting to his mailbox now due to the traffic. He also expressed concern over the ripples the trucks create in the macadam.

Solicitor Smith didn't feel the suggested changes were substantial enough to repeat the entire enactment process based on prior court rulings. Now the application must be sent back to the Township Planning Commission for comments for 30 days. The Board is unable to act further until the 30 day review period has passed. The Board will discuss the matter further at the first meeting in February 2014.

3. **Server Upgrade.**

Treasurer Gembusia explained that Phase 1 of the IT implementation plan (disaster recovery) was completed on November 5, 2013. While the original plan was to phase out the remaining IT work over the next year, staff has stretched the current resources to their maximum point. Staff contacted the vendors and asked for updated pricing since their original quotes were from August 2013. Since that time, there have been a few minor price increases. Staff recommends completing all phases of the IT implementation plan immediately. The Board gave consensus for staff to begin ordering the new server and equipment since the 2014 budget was already approved.

4. **DTMA Dissolve.**

There was nothing new to report on this item.

5. **Master Stormwater Feasibility Study – Mountain View Road Drainage.**

There was nothing new to report on this item.

**MANAGER'S REPORT**

Manager Portillo's report was submitted without any additions or questions.

**TREASURER'S REPORT**

Treasurer Gembusia's report was submitted without any additions or questions.

**ZONING OFFICER'S REPORT**

Zoning Officer Barrick's report was submitted without any additions or questions.

**ENGINEER'S REPORT**

Engineer Reichard report was submitted without any additions or questions.

**SOLICITOR'S REPORT**

Solicitor Smith's report was submitted without any additions or questions.

**SUPERVISORS' REPORTS**

No reports were submitted by the Supervisors.

**ADJOURNMENT**

Vice Chairman Reisinger motioned to adjourn the meeting at 9:11pm. Supervisor Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia  
Secretary/Treasurer

