



Dickinson Township
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BOARD OF SUPERVISORS SPECIAL MEETING May 22, 2013

PRESENT: JONATHAN REISINGER, BOB WRIGHTSTONE - SUPERVISORS; Laura Portillo, Manager; Denise Gembusia, Secretary/Treasurer.

VISITORS: Ken Giffhorn, David Liberator, A.C. Kuhn, Ellen Colyer, Judy Brough, Bob Livingston, Christen Croley, Dan Wyrick, Cathy Little, Betsy Smith.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

OPENING ANNOUNCEMENTS - None

APPROVAL OF AGENDA

Chairman Wrightstone motioned to approve the agenda as submitted. Vice Chairman Reisinger seconded the motion and it passed unanimously.

APPROVAL OF MINUTES – None

CONSENT AGENDA - None

CHAIRMAN'S REPORT - None

PLAN REVIEW/CONDITIONAL USE HEARINGS - None

PUBLIC INPUT (non-agenda items)

Dan Wyrick said he wanted to remind Vice Chairman Reisinger about the time when there was an attempt to have a hearing to remove him from the Planning Commission. During the meeting, Mr. Wyrick's attorney spoke on his behalf and shared with Vice Chairman Reisinger reasons why he might want to recuse himself from the discussions and topic. Mr. Wyrick thought it might be valuable for Vice Chairman Reisinger to remember those reasons.

EMERGENCY SERVICES REPORT

No report was submitted.

NEW BUSINESS

1. **Zoning/Saldo Draft Ordinances – Rescind April 15, 2013 motion and discussion and action on new proposal.**

Chairman Wrightstone explained that there had been a communication error between the Board and Harry Roth regarding charges and procedure. Because of this miscommunication, the April 15, 2013 motion on hiring Mr. Roth for \$2,040 would have to be rescinded and the Board would have to determine the direction it would like to take regarding the draft ordinances. Mr. Roth provided correspondence which clarified and outlined two options for the Board. The first option would be for Mr. Roth to remove the forestry and sliding scale sections and provide the Board with a new draft of the entire ordinance which would be fully adoptable form at a cost of \$1,360. The second option would be for Mr. Roth to remove

the forestry and sliding scale sections at a cost of \$680 and then continue to make changes as per Board direction at an hourly rate on an as needed basis.

Vice Chairman Reisinger motioned to rescind the April 15, 2013 motion to accept the Roth proposal at a cost of \$2,040. Chairman Wrightstone seconded the motion to rescind. The motion passed unanimously.

Judy Brough asked what the hourly rate was for Mr. Roth and was told he charges \$85.00 per hour. Vice Chairman Reisinger noted that there are other options available such as taking the current draft and giving it to a new consultant or scrapping the draft in its entirety. Chairman Wrightstone expressed interest in the second option provided by Mr. Roth. The Board discussed the document as a whole and agreed that it is heavily over-regulating. A discussion on whether to use the current draft and attempt to modify it or to scrap the current draft and start over ensued.

Ken Giffhorn suggested taking the Harry Roth draft and modifying it in-house by developing a task force including Tom Smith, Susan Smith, Jason Reichard, Larry Barrick and the Supervisors.

Cathy Little responded to Mr. Giffhorn's comments and asked how his option would save any money since the Township would still have to pay the Engineer and Solicitor. She then offered a personal example of her experience while living in Penn Township during the time they were adopting a zoning ordinance. She said that the Township scrapped their original draft and created a new draft with more input from the public.

Bob Livingston agreed with Mr. Giffhorn's approach and added that the Board would need to provide the task force with proper guidance on their intended direction. He suggested breaking the document into sections and tackling it one piece at a time. Mr. Livingston offered to be on the task force if formed.

Judy Brough asked if the comprehensive plan has flaws in it as was suggested in prior meetings. Vice Chairman Reisinger said that the Zoning and Saldo should, generally, be consistent with the Comp Plan. Mrs. Brough said she liked the idea of a task force and suggested tracking all changes for posterity's sake.

Dan Wyrick noted that the township has a broad range of residents and each has a unique set of ideas and wants. He agreed that the task force was a good idea, but felt that the document should not be written by the group. Laymen, he said, would ultimately not be able to produce a legally sound document.

Betsy Smith commented that she has a tractor trailer which puts food on her table and clothes on her back. She doesn't have the money to build a garage and this ordinance would prevent her from parking the truck in her driveway.

Ken Giffhorn mentioned that the Township has invested over \$100,000 into the draft zoning ordinance to date.

David Liberator said that no zoning ordinance will ever be legally sound. Lawyers will break it down no matter what.

J.R. Barrett suggested looking at Penn Township's zoning ordinance since our townships are so much alike.

Bob Livingston added that no consultants come up with original work. He suggested using the internet and using portions of other township's ordinances to create one that will work for Dickinson Township.

Ken Giffhorn stated that, inevitably, someone will disagree with the final product but, ultimately, the Supervisors must be able to live with the completed document.

Vice Chairman Reisinger suggested creating three separate task forces based on geographical location, each headed by a Supervisor. Chairman Wrightstone disagreed about separating the groups by geography.

J.R. Barrett suggested separating the task forces into Agricultural, Residential and Commercial groups. Chairman Wrightstone said he liked the idea of developing task forces, but felt the idea should be discussed more thoroughly with whoever is appointed to the vacant Supervisor position. Dan Wyrick said that Mr. Barrett's idea would prove difficult for the Resident task force.

Ken Giffhorn discussed the zoning map and problems within the agricultural areas that forced pocketed areas of low density classifications.

Chairman Wrightstone suggested securing a good zoning map before creating the task forces. Vice Chairman Reisinger motioned to table the item until the next meeting. Chairman Wrightstone seconded the motion and it passed unanimously.

2. **Discussion and direction regarding appointment to fill vacancy on the Board of Supervisors, term expires December 31, 2013.**

Chairman Wrightstone noted that although it is not a legal requirement to take public comment for this topic, he would like to offer the public the opportunity to speak. No public comment was offered. Vice Chairman Reisinger motioned to nominate J.R. Barrett. The nomination was seconded by Chairman Wrightstone. No other nominations were offered. Mr. Barrett said he was willing to serve the Township as Interim Supervisor.

Vice Chairman Reisinger motioned to appoint J.R. Barrett to fill the vacant Supervisor position for the remainder of the term, expiring on December 31, 2013. Chairman Wrightstone seconded the motion. Roll call vote was taken and the motion to appoint J.R. Barrett passed unanimously.

OLD BUSINESS – Items will be discussed at the next regularly scheduled Board of Supervisors meeting.

1. **North Dickinson Road project**
2. **DTMA Dissolve**
3. **Master Stormwater Feasibility Study – Mountain View Road Drainage**

**MANAGER'S REPORT
TREASURER'S REPORT
ZONING OFFICER'S REPORT
ENGINEER'S REPORT
SOLICITOR'S REPORT**

No reports were submitted.

SUPERVISORS' REPORTS

The Board gave consensus for staff to print out zoning ordinances of neighboring municipalities for public inspection. Manager Portillo offered to provide links to the ordinances on the Township website as well.

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 6:59pm. Vice Chairman Reisinger seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

