



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
April 4, 2016

PRESENT: TOM IMHOLTE, DENNIS STRAUB - SUPERVISORS; Larry Barrick, Manager/Zoning & Codes Enforcement Officer/Open Records Officer; Marge Metzger, Secretary/Treasurer; Solicitor Susan Smith.

ABSENT: J.R. BARRETT, Supervisor, Engineer Jason Reichard, and Roadmaster Don Yost.

VISITORS: Judy Brough, Greg Bretzman, Ivan Bretzman, Michelle Line, Bob Line, Doug Brehm, Kurt Mullen, Jesse Jones, Lorelei Coplen, and Peggy Bower.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chairman Imholte called the meeting to order at 6:00 PM. Those present recited the Pledge of Allegiance.

OPENING ANNOUNCEMENTS - *More information is available on the township website.*

- An executive session was held on March 21, 2016 from 7:17 PM to 8:11 PM to discuss the Breslin litigation and Solicitor resignation.
- Parks & Recreation is seeking a volunteer to join their Board. If interested, please email Township Manager.
- Parks & Rec Board will be holding their annual Spring Yard Sale at Stuart Park on Pine Road on April 16, 2016 from 7 AM to noon. This event is open to the public and is FREE to attend. Vendor spots are \$10.00 and registration is required. You must bring your own table. Please see the Township website for more information.
- Parks & Rec Board are seeking Community volunteers to help plant, stake, water and mulch approximately 40 young shade trees along the border of Lindenwood Park on North Dickinson School Road in Carlisle, PA (adjacent to North Dickinson Elementary School) on Saturday, April 30, 2016 beginning at 8 AM.
- Parks & Rec Board and the Mt. Holly Fish & Game Association will hold their annual children's fishing derby at the Mount Holly Fish and Game pond on Saturday, May 7, 2016 from 7:00 AM until noon. The Parks & Rec Board are seeking volunteers to help run the event as well. Please see the Township website for more information.

APPROVAL OF AGENDA

A **motion** was made by Supervisor Straub and seconded by Vice Chairman Imholte and unanimously passed to approve the agenda.

APPROVAL OF MINUTES

March 21, 2016 Regular Meeting Minutes

Supervisor Straub pointed out that a second to the motion is needed on page 3, under the Michael Rowe final subdivision plan.

A **motion** was made by Supervisor Straub and seconded by Vice Chairman Imholte and unanimously passed to approve the March 21, 2016 minutes, as amended.

CONSENT AGENDA

Vice Chairman Imholte questioned the process of payment of the engineer and solicitor’s invoices for plan review. The process was explained by Secretary Metzger and Solicitor Smith.

A motion was made by Vice Chairman Imholte and seconded by Supervisor Straub and unanimously passed to approve the consent agenda as follows.

- 1. Pay Bills

CHAIRMAN’S REPORT None

PUBLIC HEARINGS None

PLAN REVIEW/CONDITIONAL USE HEARINGS None

GENERAL PUBLIC INPUT (non-agenda items) None

EMERGENCY SERVICES REPORT

Greg Bretzman provided a fire report for March 2016. There were 16 calls in the township. He said the Assistant Chief and himself attended a class on Strategy and Tactics and Fire Dynamics, as they are working on changing some Standard Operating Procedures. They also attended the spring training for the Pennsylvania Department of Forestry, where the Assistant Chief was recognized for being the Fire Warden for 45 years.

Vice Chairman Imholte mentioned the EMS monthly report provided by Cumberland Goodwill that includes benchmarks. He questioned where the benchmarks come from. Greg Bretzman said it could possibly be in house criteria, or the Pennsylvania Department of Health could be involved. Manager Barrick suggested it could have something to do with standards to keep their accreditation.

NEW BUSINESS

1. Chapter 170 Storm Water Ordinance Waiver Request for Kurt Mullen

Doug Brehm explained that Kurt Mullen purchased 50 acres, which is the remainder of Callapatscink development. He is proposing to build a residence and barn for himself and have horses and pasture. His access will be a gravel driveway through one of the 50’ openings between existing homes which he owns. The storm impervious coverage for the project is approximately 15,000 square feet, which exceeds the 5,000 square feet minimum. Because the improvements will be in the middle of the property, no water will run off or leave the property. The storm water will naturally make its way toward the Yellow Breeches creek by sheet flow for at least 1,200’ to the wetland area at the back of the property. A waiver of the storm water requirements is being requested. Engineer Reichard has provided a review and concurrence for the waiver request. Zoning Officer Barrick also supports the waiver request.

Vice Chairman Imholte asked if the well location will be shown when the building permit is submitted. Zoning Officer Barrick said the well must be 100’ from any surrounding septic systems, which will be shown on the site plan. Mr. Brehm said he would show the 100’ isolation zone for the well. Zoning Officer Barrick said the 100’ isolation circle will be shown on the septic system application. The well drillers normally determine the exact location of the well, with the lay of the land.

A **motion** was made by Supervisor Straub and seconded by Vice Chairman Imholte and unanimously passed to grant the Chapter 170 storm water waiver request for Kurt Mullen, subject to the comments of Zoning Officer Barrick’s memorandum dated April 1, 2016, and Engineer Reichard’s letter dated March 31, 2016.

2. Jesse Jones – 946 W. Old York Road – Storm Water Issue

Doug Brehem asked the Board to consider a question on another storm water matter for Jesse Jones, whose property is located at 946 W. Old York Road.

A **motion** was made by Vice Chairman Imholte and seconded by Supervisor Straub and unanimously passed to amend the agenda to add the Jesse and Jason Jones storm water question as an agenda item under New Business.

Doug Brehm said Jesse Jones wants to build a pole barn that is approximately 8,000 square feet to house equipment. He runs a farming and manure business and would have a small office for organization purposes. He has a Highway Occupancy Permit (HOP) for the driveway. There is an existing bank barn, house, and pole barn. Family owns the land all around him, which is around 300 acres. He must create infiltration beds to catch 50,000 gallons of water. The project started out as \$250,000 for the farm business, but the storm water facilities would add an additional \$50,000. Alternatives are being looked at to handle the water runoff, and want to seek a waiver request from some of the requirements because it is cost prohibitive to deal with all the water underground. There is a suggestion of catching some of the water in tanks and then using the water for irrigation or to clean equipment.

Vice Chairman Imholte questioned the tanks being more expensive than putting stone in the ground, or would the tanks take up more area than the storm water basin. Mr. Brehm said the tanks will be buried to keep the disturbed area minimal. Manager Barrick said he has some concerns. The county and DEP mandate the storm water ordinance and MS4 requirements so we need to watch what we approve or disapprove. We need to see a plan and design. Vice Chairman Imholte said the Board would entertain the idea, but cannot make a determination without a plan. The idea makes sense.

3. Discussion on Proposed 2016 PSATS Resolutions up for Vote at State Convention

A list of 44 Resolutions was provided by PSATS that will be considered at the State Convention. The township delegate for voting is J.R. Barrett. Solicitor Smith pointed out several Resolutions and provided some background information on topics including collection of fees for public improvements, low bidders, NDES permits, antennae and telecommunication systems, Penn DOT permits, and storm water management. The list of Resolutions will be posted on the website. No action was taken.

4. Zoning Map amendment Workshop

The Township has been working on reviewing the Zoning Ordinance for some time. The Board agreed to start with determining the zones on the map and then go from there to write the ordinance that supports the map. The existing comprehensive plan map, the existing land use map, and the existing base map will be used as references while considering the zoning map update. The public was invited to comment throughout the process. Once a final document is prepared, the Dickinson Township Planning Commission and Cumberland County Planning Department must review and comment and then a public hearing would be held for final adoption. If substantial changes were made then the ordinance would have to be re-advertised.

Manager Barrick said the previous Boards discussed several new zones to include designating the developments in the Low Density Residential (LDR) zones and leaving the outlining area in agriculture, incorporate other zones, and not making any properties non-conforming through this process.

There was discussion on having two zones for residential. One that is rural in nature and would include developed areas that abut farm land or wooded land, are a string of lots located along a road frontage, and no interior streets. The other area would be for developments with interior streets and abutting back yards. The residents of each of these types of residential developments have different expectations and each should be recognized and protection provided for. Solicitor Smith said some larger developments have Home Owner's Associations, who self-impose restrictions. Supervisor Straub said residents in the high developments look to the township as the means of help to enforce as opposed to HOA's. They want to protect their sizeable investments. These types of developments could have more regulations while the Board of Supervisors would adopt less regulations for the more rural developments.

The Board reviewed the map and proposed a list of the larger developed residential areas to include the following: Briarwood, Green Hills, Annendale, Heritage Valley, Rockwell, Clearview, Clarendon, Nicholas Manor, Callapatscink, Kings Gap, Woods of Barnitz, and Holly Estates.

Lorelei Coplen said in Virginia, these larger developments are in a zone called Developed Residential. There are a number of considerations to determine the larger developments, such as size of lot, or distance to the main road. She suggested not only looking at the pulse of the current status, but what about the future and preservation of the community.

Bob Line requested his property and his neighbor's properties be placed in the agriculture zone. It is presently in the mixed use zone. He and his neighbors, whose properties are north of Interstate 81 and east of Shagbark Lane, all have farm animals. Mr. Line's property is in the agriculture security program. This request to remain in agriculture is for the properties of Line, Lehman, Wolf, and Drago. Mr. Line said people want to live here because of the rural character and country attitude.

Peggy Bower, 290 Stuart Road, asked if she could have chickens. She is in the LDR (low density residential), with farm behind her. Manager Barrick said the LDR does allow agriculture uses and housing, but the ordinance requires a 100' setback for the housing of farm animals.

The Board discussed combining the agriculture, rural residential and conservation zones to simplify the process. A concern was raised with the Conservation Zone having restrictions and regulations for the natural resources such as steep slopes, waterways, wooded lands, and the Appalachian Trail, and having greater setbacks. This may not be the type of regulations appropriate for the agriculture and rural residential uses. But it would be the zone with the broadest range of permitted uses with the least amount of regulations. Supervisor Straub supports the philosophy of providing restrictions for the developed residential area and to encourage agriculture wherever we can. Vice Chairman Imholte favored combining the agriculture and conservation zones (which is currently shown as the green and light blue areas on the comprehensive plan map). The Solicitor reminded the Board that any use in any district can be provided for with standards.

Vice Chairman Imholte suggested the Business Industrial and Business Recreation should be kept toward the northern boundary of the township. Manager Barrick mentioned the business recreation zone includes two campgrounds and there used to be a restaurant. Supervisor Straub suggested the commercial zone should be near the Ritner Highway or major intersections. Keep the traffic off of township roads. The Board of Supervisors then questioned the need for commercial use in the southern area, such as the intersection of Route 34 and Goodyear? Residents in the southern portion of the township shop in Carlisle, Gettysburg, and Biglerville. There is Gardners Market, Green Mountain Store and Twirly Top. The idea of allowing commercial uses in the agriculture zone that are compatible with agriculture should be considered. The purple industrial area on the map can remain the same. Manager Barrick mentioned the industrial uses need the public sewer and water.

Solicitor Smith reminded the Board of their legal obligation to provide for all uses that come their way. Population and growth must be considered. The door cannot be shut, which includes the commercial and industrial uses. The April Showers report was mentioned and should be reviewed. Supervisor Straub felt the township has more than satisfied the requirements for business, and mentioned the busing of employees from Harrisburg that is occurring.

Manager Barrick said you cannot provide for every single use, but you must provide the means. If a specific use is not provided for, the applicant has the right to apply and go through the Zoning Hearing Board if it is something that is similar and compatible for the uses in that area. Solicitor Smith mentioned another area of concern is the agri-business and operations, such as corn mazes and tourists, cheese and milk production, auctions, and road side stands. Manager Barrick suggested being proactive so farmers can succeed, allowing businesses such as engine repair and welding, with guidelines, and as a secondary use to the farming operation. Echo housing should also be considered.

Vice Chairman Imholte provided a recap of the discussion to include the following:

1. Reduce the yellow area to be more focused on the developed areas.
2. Incorporate the suggestion made by Bob Line for the properties mentioned to be agriculture to the north of Interstate 81 and Shagbark Lane.

3. Have two types of residential use. Developed Residential would be for planned communities with more restrictions. Residential would be allowed in all other districts.
4. Review the April Showers analysis report.
5. Do not increase the purple zone (industrial).
6. The red area would include the area along Walnut Bottom Road; the northeast corner has been done away with. The red area could be for offices. Combine the red and pink areas.
7. Consider combining the standards for commercial and mixed use.
8. Include the Wedgewood area in the yellow district.
9. Do not combine the conservation and agriculture zones.

Manager Barrick will work with the county to get a colored map, showing all suggested changes, for the next workshop to be held on May 2, 2016 at 6:00 PM. Residents are encouraged to attend the May 2 meeting for further discussion. The notice will be placed on the website.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances.**
Nothing to report.
2. **Master Storm water Feasibility Study – Mountain View Road Drainage.**
Nothing to report.

MANAGER’S REPORT

Manager Barrick acknowledged the accolades given to him at the last meeting by the Board, which he appreciates. He mentioned the very good staff support he has. The Roadmaster has been completing several road repair projects and maintenance and discussing future road projects and has taken a lot of weight off the Manager’s shoulders; and Marge is his back bone, a team player and is very knowledgeable and a hard worker.

Vice Chairman Imholte questioned the process for property owners who fail to have the septic pumping and inspection performed. Manager Barrick explained there are several reminder letters mailed in the spring and fall. Then people who have not complied receive a violation letter the following February. The next step is a citation and a fine can be imposed by the district magistrate if found guilty, and the pumping must still be completed. The data base tracks each property.

Vice Chairman Imholte asked how the interview process is going for the Zoning/Codes position. Manager Barrick said he is checking references. The interview went well and there is background, but no experience, but he seems intelligent and feels he will come up to speed quickly. PSATS has training courses available.

ZONING OFFICER’S REPORT

No report.

TREASURER’S REPORT

Treasurer Metzger’s report was submitted without any additions.

ROADMASTER’S REPORT

No report.

ENGINEER’S REPORT

No report.

SOLICITOR’S REPORT

Solicitor Smith said she prepared a utility easement agreement for Trade Center 44. Trade Center still owes the contribution to be made to the Municipal Authority.

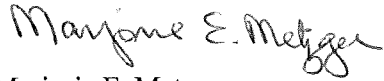
SUPERVISORS' REPORTS

The Board will hold an executive session after the meeting to discuss the Cunningham Right-to-Know Appeal.

ADJOURNMENT

A **motion** was made by Vice Chairman Imholte and seconded by Supervisor Straub and unanimously passed to adjourn the meeting at 9:18 PM.

Respectfully submitted,



Marjorie E. Metzger
Secretary/Treasurer

