



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
August 1, 2016

PRESENT: TOM IMHOLTE, DENNIS STRAUB, LORELEI COPLEN - SUPERVISORS; Larry Barrick, Manager; Glenn Kelso, Zoning & Codes Enforcement Officer; Marge Metzger, Secretary/Treasurer.

ABSENT: Andrew Miller, Solicitor; Jason Reichard, Engineer; Don Yost, Roadmaster.

VISITORS: Judy Brough, Peggy Bower, Nate Markel, Bob Line, Bob Livingston, Rich Mislitsky.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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.*

- Parks & Rec Board will be holding their 1st Crafters Festival on Saturday, September 3, 2016 from 8:00 AM to 2:00 PM at Stuart Park.

APPROVAL OF AGENDA

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to approve the agenda.

APPROVAL OF MINUTES

July 18, 2016 Regular Meeting Minutes

Supervisor Straub pointed out on page 3, #4, the word "linier foot" should be changed to "linear feet".

A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to approve the July 18, 2016 minutes, as amended.

CONSENT AGENDA

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to approve the bill payments for August 1, 2016.

CHAIRMAN'S REPORT None

PUBLIC HEARINGS None

PLAN REVIEW/CONDITIONAL USE HEARINGS None

GENERAL PUBLIC INPUT (non-agenda items)

Bob Livingston and Rich Mislitsky were present. Chairman Imholte stated the policy provides for 5 minutes of time, and he granted an additional 3 minutes for them to make their comments. Attorney Mislitsky thanked the Board for the opportunity to present Mr. Livingston's grievance and suggested the recommended work on North Dickinson School Road to move the guide rails is a waste of taxpayer's money and a financial hardship on Mr. Livingston. He provided the Board with several photos of Mr. Livingston's property showing his existing

buildings and fence, and the flooding that occurs. If the guide rail recommendation is followed, Mr. Livingston will have to relocate two gates with all the accessories, replace the fence, install a new sidewalk and septic system. He does not feel these items were considered, which will have significant consequences. Mr. Livingston moved to this property in 1984 and there have been no accidents at the bridge. The area to the north where the gate is suggested to be moved is swampy and will not support daily vehicle traffic. The flood zone was not considered. Attorney Mislitsky asked for a meeting with the Board to discuss the matter. Chairman Imholte said it is not the township's intent to do anything without working with Mr. Livingston. He agreed there needs to be a sit down meeting to look at the report and figure out what can be done or not done. Mr. Livingston mentioned he has heard good things about Lorelei Coplen from Bill Baker.

EMERGENCY SERVICES REPORT

Manager Barrick said he is setting up a meeting with the various fire companies to work on an appointment for the Emergency Services Administrator. Ivan Bretzman would like to continue in the position and will use the duty chiefs if he needs assistance until someone is appointed to assist.

Chairman Imholte mentioned the burning ban is in effect.

NEW BUSINESS

1. Appointment of Nathan Merkel to the Park and Recreation Board (term to expire 12-31-17)

A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to appoint Nathan Merkel as a member of the Park and Recreation Board, with a term to expire on December 31, 2017.

Manager Barrick mentioned Supervisors Straub and Coplen attended the ice cream social. There was talk about next year adding a car and motorcycle show to expand the event and hold it at Stuart Park in hopes of getting more people involved and there to socialize.

OLD BUSINESS

1. Zoning/Saldo Draft Ordinances.

Chairman Imholte said the idea is to try to come up with a map first and then write the ordinance to match the map. We recognize that Dickinson Township is generally a rural community.

There was discussion on designating developments that meet criteria, and looking at more restrictions on what can be done on those properties. Criteria would include the development having a name, internal streets, back yards abutting each other, and size of lot (to be determined). A suggested term for the zone for more restrictions could be Development Residential. These areas are shown on the current map in yellow as the LDR zone. Many of these developments have restrictions that are recorded on the subdivision plans. As the process moves forward, the Board may want to have more restrictions, or they may decide not to add more restrictions. Concerns that have come up over time include having chickens, fire pits, a shed being placed on a property line, solar and wind systems, and parking of recreational vehicles on the properties. It may be determined the current ordinance already works. All areas to be considered for this Development Residential zone were shown on the draft map in yellow.

Manager Barrick mentioned the comment made by Solicitor Miller at the last meeting concerning deed restrictions trumping the zoning ordinance, which is correct if someone is in place to enforce the deed restrictions, such as a Home Owners Association. The township does not enforce deed restrictions. Developments look to the township to be the teeth for enforcement, but that is not the township's responsibility. Solicitor Miller will clarify his statement at the next meeting.

Peggy Bower lives on Stuart Road in a development known as Shady Grove. She would like to keep her area in the less restrictive residential zone. She considers the area more as a neighborhood as opposed to a defined development.

The other residential areas would be for developments that are more rural, larger lots. These could include areas such as Richland Road, Stuart Road, Pine Grove Road, and White Oak. This zone could be called the Residential zone. Manager Barrick mentioned the Agriculture zone also allows for residential use. This proposed zone was shown in pink on the draft map.

Judy Brough said Holly Estates meets the criteria to be in the Development Residential zone with more restrictions, but there are deed restrictions that have not been followed. The builder went bankrupt. She offered to poll the residents in the development to see if they would prefer to be in the more restrictive zone or not.

Chairman Imholte suggested getting a contact person in each area of the township. Supervisor Straub suggested Bill Baker for Nicholas Manor, Tom Smith for Briarwood, Earl Bock for Heritage, Chuck Breslin for Green Hill, and Ken Giffhorn for Clarendon.

Manager Barrick said the re-drafting of the ordinance may create a lot of non-conforming properties, so he cautioned the Board to try to not make too many drastic changes. He also told the Board to be careful of spot zoning. Vice Chairwoman Coplen suggested going for a drive to look at the various developments.

There was discussion on the mixed use and commercial zones, which could be combined. It opens the door for more uses, but usually hinges on having public water and sewer. A mixed use zone could be an option for the existing MDRO zone. A suggestion was made to make the area along the Ritner Highway the MDRO zone, or even along Walnut Bottom Road. The MDRO could be made smaller along the Ritner Highway instead of going back to I-81.

Bob Line is interested in keeping his property and properties around him in the agriculture zone. He said the water and sewer could not be extended into Dickinson Township because of the Chesapeake Bay initiative. The surrounding areas are creeping up on us. Manager Barrick said South Middleton wants us to buy capacity. What drives the Chesapeake Bay is storm water runoff, not public water and sewer infrastructure. Vice Chairwoman Coplen said this township sits in a bigger area. We need to consider all types of uses and respect the fact that we are part of the Chesapeake water shed.

The Board agreed to leave the B-I (Business Industrial) and M-I (Mining/Industrial) zones the way they are currently. The Conservation zone should be kept the way it is, with minor adjustments. Possibly following property lines would be a cleaner method. The Conservation zone should include the forest land and Kings Gap, which do not belong to us. A suggestion was made to have a Rural Resources zone for areas that would preserve the natural resources.

Judy Brough suggested using the same terms as some of the surrounding townships. Vice Chairwoman Coplen said we can be aware of the terms used by surrounding municipalities, but we should not be shy to have terms specific to us. We want to better define residential.

Manager Barrick mentioned the Agriculture Security areas and Agriculture Easement areas need to be taken into consideration. Some areas could be affected by them.

Bob Line and his neighbors want the protection of being in the agriculture zone. The existing uses are a saw mill, farming, and farm animals. There is already a warehouse being built beside them, which has an existing ground water contamination issue. He respects the decision of the Board, but asked them to keep the township rural. Manager Barrick mentioned the CREPS program as an option for Mr. Line and his neighbors if they do not want to preserve their farms. Vice Chairwoman Coplen said a water source is needed and there can be no livestock near the water source. It is funded by the government, who plants the trees and pays the property owner for the use of the land. The program is part of the Chesapeake Bay initiative.

Chairman Imholte will mark up a blank map with everything that was discussed this evening. He will follow property lines. He will need the agriculture security and preservation maps. He will prepare a draft map for

the next meeting, which can then be provided to the residents and Planning Commission for review and comment.

2. Master Storm water Feasibility Study – Mountain View Road Drainage.

Nothing to report.

MANAGER'S REPORT

Manager Barrick mentioned the change order he allowed for a couple days extension on the road work schedule.

ZONING OFFICER'S REPORT None

TREASURER'S REPORT None

ROADMASTER'S REPORT None

ENGINEER'S REPORT None

SOLICITOR'S REPORT None

SUPERVISORS' REPORTS

Vice Chairwoman Coplen said she still has to look at the public comment policy to consider any change.

ADJOURNMENT

A motion was made by Supervisor Straub and seconded by Vice Chairman Coplen and unanimously passed to adjourn the meeting at 8:13 PM.

Respectfully submitted,

Marjorie E. Metzger

Marjorie E. Metzger
Secretary/Treasurer

