



Dickinson Township  
219 Mountain View Road  
Mount Holly Springs, PA 17065  
Phone: (717) 486-7424 ♦ Fax: (717) 486-8412  
[www.dickinsontownship.org](http://www.dickinsontownship.org)

**BOARD OF SUPERVISORS REGULAR MEETING  
August 15, 2016**

**PRESENT:** TOM IMHOLTE, DENNIS STRAUB, LORELEI COPLEN - SUPERVISORS; Larry Barrick, Manager; Glenn Kelso, Zoning & Codes Enforcement Officer; Marge Metzger, Secretary/Treasurer; Andrew Miller, Solicitor; Jason Reichard, Engineer; and Don Yost, Roadmaster.

**ABSENT:**

**VISITORS:** Judy Brough, Ellen Colyer, Bob Line, Dave Betton, Eric Diffenbaugh.

**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 1<sup>st</sup> 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**

**August 1, 2016 Regular Meeting Minutes**

Chairman Imholte questioned a statement in the General Public section concerning Bob Livingston and Rich Mislitsky, and an explanation was provided by Vice Chairwoman Coplen that was satisfactory.

Chairman Imholte questioned the comment made by Manager Barrick on page 3 referring to the CREPS program and preservation, and an explanation was provided by Manager Barrick that was satisfactory.

Supervisor Straub questioned on page 2 under Zoning/SALDO Draft Ordinance, the first paragraph, line 5 refers to "deed restrictions". After a discussion was held on deed restrictions, and what types of restrictions are placed on subdivision plans, it was agreed to remove the word "deed" from the minutes.

A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to approve the August 1, 2016 minutes, as amended.

**CONSENT AGENDA**

Supervisor Straub asked if the Zoning Hearing Board Solicitor fee is reimbursable. Manager Barrick explained the application fee is used to pay for the court reporter and advertising and the remainder can offset the Solicitor fees. There is concern with the high cost of the Zoning Hearing Board Solicitor fees, which may have to be considered in the future.

Vice Chairwoman questioned the Gannett Fleming invoice, which Manager Barrick explained is for IT services for the computer system.

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to approve the bill payments for August 15, 2016.**

### **CHAIRMAN'S REPORT**

Chairman Imholte asked for information on the condition of Barnitz Mill and why the improvements have been stopped that was being worked on in 2012. Manager Barrick explained the exterior of the mill was reconstructed, and the roof was done. The intent was to preserve what was standing there. A structural study was completed by C.S. Davidson. It was determined it was too costly at that time to move forward. With the UCC regulations, any possible use in the future would require the structure to be brought up to standards. Vice Chairwoman Coplen questioned if any historic grants have been applied for, which the response was no. The Board will review the study that was done.

Chairman Imholte stated the informal meetings that have been held on the first Monday of the month will have one Supervisor attend from this point on, with the Supervisors rotating their attendance.

**PUBLIC HEARINGS** None

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

#### **1. Final Subdivision Plan for Myron J. and Leah J. Diller (deadline 11-8-2016)**

Eric Diffenbaugh explained this is a subdivision of a 2 acre lot addition from Myron Diller to the Barrick farm. There are no improvements proposed. The right-of-way agreement for the existing driveway has been submitted to the township. The engineer and county comments can be addressed. This plan is being done to get around the Clean and Green program requirements, and paying of back taxes. There will be another subdivision plan that will take the newly created 10 acre lot and add it back to the Diller property as a lot addition.

Chairman Imholte questioned the Diller property being landlocked. Zoning Officer Kelso explained there is road frontage on Walnut Bottom Road and also Richland Road. He has the proposed right-of-way agreement that will be reviewed, signed, notarized, and recorded.

Supervisor Straub questioned what a purpart line is. Mr. Diffenbaugh explained it is the same as a tract line, an older term that was used by farmers to explain different pieces of land, all within one deed. Engineer Reichard said it was language used to explain parcels of land prior to having the subdivision process.

Engineer Reichard said comments 1, 2, and 3 of his letter dated July 28, 2016 must be addressed.

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to approve the modification request of Chapter 178-13 of the SALDO, to waive the preliminary plan submittal process for the Myron J. and Leah J. Diller subdivision plan.**

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to approve the modification request of Chapter 178-24A of the SALDO, to modify the sheet size requirements for the Myron J. and Leah J. Diller subdivision plan.**

**A motion was made by Chairman Imholte and seconded by Vice Chairwoman Coplen and unanimously passed to approve the Myron J. and Leah J. Diller subdivision plan subject to the conditions in Zoning Officer Kelso's memo dated August 11, 2016, and Engineer Reichard's letter dated July 28, 2016.**

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

Judy Brough asked what the policy or procedure is for a resident to request to be placed on the agenda as an agenda item as opposed to the general public input portion of the meeting that has a time limit. She also asked

about the last meeting when the Supervisors said they would meet with Attorney Mislitsky and Bob Livingston to discuss the issue instead of taking up public meeting time. Would that not have to be a public meeting?

Chairman Imholte said only one Supervisor will meet with Attorney Mislitsky and Mr. Livingston.

Manager Barrick said it is the Manager's job to set the agenda, which cannot be overloaded with personal items. It has to be business of the township. Sometimes we need to work through items in private as opposed to walking through the whole process during a public meeting. Solicitor Miller said agenda items should be limited to township business that has been adequately vetted by staff so the Board is not fumbling to make a decision. Some things are premature to put on the agenda. Private sessions first are needed to determine how to move something along. Chairman Imholte wants to be accessible to the residents. If there are issues that need to be worked out, then we must do that. Vice Chairwoman Coplen said she thought the purpose of the informal meetings was to hear the concerns and then consider whether they are worth the time and effort to have it as an agenda item. Chairman Imholte said the Manager should be contacted first and then the Board can decide with the Manager's assistance.

### **EMERGENCY SERVICES REPORT**

Manager Barrick said Ivan Bretzman had initiated a temporary burning ban, which he feels can be lifted at this time. If a ban is kept in place, then the Supervisors would have to adopt a Resolution. The Board agreed to lift the burning ban and continue to monitor the conditions.

Judy Brough mentioned the two sides of the township can receive much different types of weather. The south side is still very dry. Manager Barrick said Ivan Bretzman, who is the forest fire warden as well, feels it is okay for the burning ban to be lifted for the entire township.

### **NEW BUSINESS**

#### **1. Appointment of Beth Kikla to the Planning Commission (term to expire 12-31-18)**

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to appoint Beth Kikla as a member of the Planning Commission, with a term to expire on December 31, 2018.**

#### **2. Trade Center 44 Land Development Letter of Credit Reduction Request #3**

There was a lengthy discussion on the outstanding work needed to repair the drainage issues on Alexander Spring Road, and the need to get the work completed. The drainage work is separate from the project that is covered by the letter of credit. It was decided to issue a letter with a schedule and time line to get the work completed. If they don't comply, then the township could potentially draw on the surety. Chairman Imholte expressed interest in signing the letter since this issue should have been resolved by now. He also wants to be involved with any future reduction requests prior to the engineer making a recommendation.

Engineer Reichard explained the remainder of the letter of credit covers the reconstruction of Alexander Spring Road. The reduction request is for work that has been completed and inspected, it does not include the road reconstruction portion of the letter of credit. He is recommending the reduction be \$24,000 less than what was requested. There is a substantial amount still being held in addition to the full 10% retainage. He must verify the improvements that have been completed, and he is satisfied.

**A motion was made by Chairman Imholte and seconded by Vice Chairwoman Coplen and unanimously approved to accept the request for the letter of credit reduction for the Trade Center 44 land development plan in the amount of \$400,801.50. The remaining balance would be \$1,073,139.44.**

### **OLD BUSINESS**

**A motion was made by Vice Chairwoman Coplen and seconded by Chairman Imholte and unanimously approved to adjust the agenda to review the various Reports prior to the Old Business.**

### **MANAGER'S REPORT**

Manager Barrick received a telephone call today from a gentleman who purchased the Craigshead mansion. There is a corn sheller or cleaner on the property that the prior owner (Mrs. Otto) requested be given to Dickinson Township for the Barnitz Mill. It is a big piece of equipment and he is not sure if it will fit in the mill. We must get it this week. The cost involved would be for the staff time and use of equipment and fuel. He would like to see it preserved and if it can't go in the mill, maybe the Cumberland County Historical Society could make some suggestions. Vice Chairwoman Coplen said we owe it to the people to preserve it since this is a rural agriculture community. The Board agreed. Judy Brough and Ellen Colyer agreed.

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously approved to authorize the Manager to acquire the piece of equipment and make a determination to either put it in the Barnitz Mill or consider other options.**

Manager Barrick stated we are ready to move forward with the line painting with Alpha Space. The cost is approximately \$14,000, which has already been bid through the Western Cumberland COG. The Board agreed.

Chairman Imholte questioned if the micro surfacing has started, which Manager Barrick said it has been and is scheduled to be completed by Friday, weather permitting.

### **ZONING OFFICER'S REPORT**

The Zoning Officer's report was submitted. Vice Chairwoman Coplen asked for clarification on the pending issues with home owners. Zoning Officer Kelso said there are people building without permits, and the structures are already up.

Vice Chairwoman Coplen asked for the process for mowing lots. Zoning Officer Kelso said he visits the property first to talk to the resident. If nothing happens, he sends a letter, and issues a citation.

Vice Chairwoman Coplen asked about the West Nile Virus complaint. Zoning Officer Kelso explained that it is at one property that needs to be cleaned up. Vector Control has set some traps and will continue to monitor the situation.

### **TREASURER'S REPORT**

The treasurer's report was submitted with no additional comments.

### **ROADMASTER'S REPORT**

The Roadmaster's report was submitted. Chairman Imholte asked about the pipes to be blacktopped. Roadmaster Yost explained they are the pipes that had been tar & chipped and now the township will blacktop over them.

### **ENGINEER'S REPORT**

The Engineer's report was submitted. Engineer Reichard asked the Board to take action on the invoice for Contract 1 for road work completed by Shiloh Paving in the amount of \$139,255.97, which is payment No. 2. The remaining balance is \$15,249.72. There is no punch list.

**A motion was made by Chairman Imholte and seconded by Vice Chairwoman Coplen and unanimously approved to pay Shiloh Paving the amount of \$139,255.97 for Payment No. 2 for road work completed.**

### **SOLICITOR'S REPORT**

The Solicitor's report was submitted. Chairman Imholte questioned the deed restriction versus zoning regulations. Vice Chairwoman Coplen mentioned it was a clarification of trumping, which depends on the situation. Solicitor Miller said a deed restriction generally is an agreement between the private parties. The zoning is what the township uses to regulate the use of the land. They exist independent of each other. The township is not responsible for enforcing or monitoring deed restrictions. The township is responsible for the zoning ordinance and regulations.

Vice Chairwoman Coplen asked for clarification of the pavilion rental fee. Manager Barrick explained the current process is for a resident to pay the \$50 rental and once the rental is completed the township issues a refund check of \$15, so it all goes through the bookkeeping system. He is changing the policy to request two checks from the resident. One check will be for the rental of \$35, which will be processed by the township. A second check in the amount of \$15 will be kept until the rental is completed and then the resident can pick up the check. It serves as a security deposit and does not go through the bookkeeping system. The fee schedule is not being changed at this time. Solicitor Miller suggested listing it on the fee schedule as a \$35 fee and a \$15 security deposit.

**SUPERVISORS' REPORTS** None

The meeting was recessed at 7:35 PM. The Solicitor, Engineer, and Roadmaster were dismissed from the meeting. The meeting reconvened at 7:40 PM.

**1. Zoning/Saldo Draft Ordinances.**

Chairman Imholte provided colored maps he prepared showing the zones that were discussed at the last meeting. He questioned why the row of homes near the campground are shown in the BR (business recreational) zone.

Vice Chairwoman Coplen pointed out the MDR-O strip along the Ritner Highway was to be made smaller and the remainder back to I-81 was to be shown as agriculture.

There was a discussion about the areas shown in pink (residential). This zone may not be needed because residential uses are permitted in the agriculture zone. Supervisor Straub said from a planning standpoint, it is about the future, not the past. The proposed pink area is recording the current residential lots. Designating an area for development is how to preserve the farm land. The Board agreed to remove the pink area and leave it agriculture. Their concentration will be on the stricter development zone, which is shown in yellow. The market determines where growth will occur, as well as public water and sewer.

The agriculture security and agriculture preservation areas must be taken into consideration because they are areas that should be protected and/or preserved.

Vice Chairwoman Coplen reviewed the maps and descriptions of residential zones from surrounding townships. Most of them include low (rural), medium (moderate), and high density residential areas.

The Board agreed to keep the MI (mining industrial) and BI (business industrial) zones as they are. The C (conservation) zone will remain but be slightly adjusted in size.

The Board agreed to combine the BR (business recreational) and MDR-O (medium density residential office) zones.

Judy Brough questioned if business would be permitted in the agriculture zone. Manager Barrick said that could be covered under home occupations or conditional use and/or special exception approval. It is important to help the farmer to retain the farm and offset their costs. Agriculture business could include uses such as corn mazes, milk and dairy, small engine repair, etc.

Manager Barrick stated any change in zoning would create non-conforming lots. They can be grandfathered. There could be any use permitted in any zone by using the process of special exceptions and conditional uses.

Vice Chairwoman Coplen summarized the discussion as follows:

1. One residential zone
2. A lot of the township will be in the agriculture zone
3. Combine the MDR-O and B-R zones and call it something else

Chairman Imholte will color another map to reflect tonight's discussion and then share with the other Supervisors for review prior to the next meeting. Once the map is decided on, the next step will be to come up with the description of each zone. Then the proposed map and zone descriptions can be shared with the community.

There was discussion on what type of community resource would be appropriate and affordable. Suggestions were made to send out a newsletter, put it on the website, have maps available for review at the township office, hold small group gatherings in various township locations, such as the different developments, and use of survey monkey.

Manager Barrick said the township has been very open about these meetings and only a few people attend. Most people don't think it is important until it is go time.

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

Nothing to report.

**ADJOURNMENT**

**A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to adjourn the meeting at 8:43 PM.**

Respectfully submitted,

*Marjorie E. Metzger*

Marjorie E. Metzger  
Secretary/Treasurer

