

WEST PENNSBORO TOWNSHIP

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AGENDA

BOARD OF SUPERVISORS

MARCH 25, 2024

WEST PENNSBORO TOWNSHIP

6:00 P.M.

PLEDGE OF ALLEGIANCE

CALL TO ORDER REGULAR MEETING

PUBLIC PARTICIPATION (NON-AGENDA ITEMS)

APPROVAL OF MINUTES – (February 26, 2024)

TREASURER REPORT – Township & Authority Bills for March

NEW BUSINESS

1. #2024-01 Melvin R. Marla J. Diller (520 Greason Road) Final Subdivision Plan & *Non-Bldg Declaration*
2. #2023-12 AAMPA Holdings – Ritner Highway (3485 Ritner Highway, Newville) Subdivision & Land Development Plan
3. Accept Time Extension for Lexington Land Developers Corporation (1525 & 1617 Newville Road) until (June 30, 2024)
4. Accept Time Extension for Over Lands of Isabelyn, LLC (Back Street) until (May 20, 2024)
5. Discussion on Purchase of a Roller with American Rescue Plan Funds
6. 2024 Donation for Big Spring Senior Citizen (March Madness) = \$2,500.00 Budgeted
7. Approve Big Spring Watershed Spring Clean-up Day, April 20, 2024 (9am-11am)
8. Request Letter for Equine Crossing Signs @ 615 Greason Road from (Crystal Lucas)
9. Wayne E. Myers continue Part-Time Employment as Wastewater Treatment Plant Operator as needed at current rate of pay
10. Approve 2024 WCCOG Road Bids

WEST PENNSBORO TOWNSHIP RECREATION ADVISORY COUNCIL REPORT

ZONING & CODES ENFORCEMENT OFFICER REPORT

SOLICITOR REPORT

ADJOURNMENT

MINUTES

WEST PENNSBORO TOWNSHIP

BOARD OF SUPERVISORS MEETING

March 25, 2024

The West Pennsboro Township Board of Supervisors convened on Monday, March 25, 2024, at 6:00 PM, at the West Pennsboro Township Building at 2150 Newville Road, Carlisle, Pennsylvania.

Members in Attendance: Rick Mains, Jr., Charles Finkenbinder and Donald Agar. Staff present: Secretary Evelyn Swartz, Solicitor Allshouse and Township Engineer Paul Wilson.

Members of the public: See attached sheet.

PLEDGE OF ALLEGIANCE

CALL TO ORDER REGULAR MEETING

Chairman Agar called the regular meeting to order at 6:00pm.

PUBLIC PARTICIPATION (Non –Agenda Items)

Brett Flower, Creek Road asked if the Board will be joining the coalition for the FPR (Food Processing Residuals), this will be on the Board's next agenda.

APPROVAL OF MINUTES –

*On a **Finkenbinder/Mains** motion, the Board unanimously **approved** the minutes of the February 26, 2024, meeting.*

TREASURERS REPORT – Township & Authority Bills

*On an **Agar/Mains** motion, the Board unanimously **approved** the treasurer's report and authorized payment for the Township and Authority bills.*

NEW BUSINESS

#2024-01 Melvin R. Marla J. Diller (520 Greason Road) Final Subdivision Plan & Non-Bldg. Declaration

The Board reviewed Mike Wadel, Wadel Mell Engineering the final subdivision for Diller.

Waiver

On a ***Finkenbinder/Mains*** motion, the Board unanimously **approved** the Non-Bldg Declaration waiver request.

Plan

On a ***Finkenbinder/Mains*** motion, the Board unanimously **approved** the final subdivision plan for the Diller's.

#2023-12 AAMPA Holdings – Ritner Highway (3485 Ritner Highway, Newville) Subdivision & Land Development Plan

The Board reviewed with Attorney Hubert Gilroy, Engineer Justin Doty, and Traffic Engineer Craig Mellott the Subdivision/Land Development plan for AAMPA Holdings. Engineer Doty gave an overview of the plan and explained that there remain three outstanding permits to obtain, NPDES approval, PennDOT Permitting and Water/Sewer service from Newville Borough.

Paul Gouldt, Green Ridge Village, asked where Sheetz is in conjunction with this project, one mile east on Rt#11.

Victoria Comanduras, resident of WPT, asked what the height of the berms would be, the project will be 300 to 400 feet from Rt #11 (berms average from 10-12 ft to 20 ft) depending on the contour of the land.

Lloyd Farrands expressed concerns with the water run-off to the creek, the project will install detention ponds to mitigate and infiltrate the run-off. He also mentioned the number of exposed sinkholes on this property and asked if there would be an emergency entrance. There is an emergency entrance to this site.

Lester Wert, resident of WPT asked if there was a fire truck large enough to accommodate any fire there, a member of the WPVFC said the current fire apparatus in this area can manage this.

Mark Spicka, President of Big Spring Watershed Association, read his report before the Board, that report will be attached to these minutes.

Solicitor Gilroy, that WPT has a consulting Engineer who determines whether this plan has met all the approvals needed they are acceptable.

Engineer Doty invited Mr. Spicka to discuss his concerns with him and feels the plan meets the Township Ordinances. Engineer Doty acknowledged this property will have all sinkholes identified and repaired prior to any construction on this property.

Katie Flay, does the Geotechnical plan recognize the sink holes in this area? Yes, it does address the sinkholes for this project.

Annette Patti, resident of WPT expressed concerns with well failures due to the run-off contamination from this site and there being no public water and sewer proposed for this area. Solicitor Allshouse said if this would occur the property owner would be in litigation with the developer.

Brian Eaton, resident of WPT said he lives 1600 ft from this project and feels his property could be affected by the run-off. He said the risks from this project are not being considered to protect the citizens of WPT and feels the Board should reject this project.

Millard Finkenbinder, resident of WPT asked if PennDOT has approved the access? The application is still under review with PennDOT. He asked if there would be a water tower on site, yes there will be.

Jeff Cohick, resident of WPT was concerned with the number of sinkholes on this property.

Tom Horvath asked if the Board had ever considered the cultural effect on the Township with all the empty warehouses sitting around. He feels a moratorium should be placed on warehouses.

Mary Schlusser asked if the warehouse had a tenant, no tenant currently. How does the developer guarantee any repairs to the current sinkholes, there is no guarantee for a sinkhole. She feels this empty warehouse will not be bringing jobs to the area. What sizes are the three different warehouses proposed: Building A-\$420,000, Building B-\$706,000, Building C-\$225,000. The PennDOT traffic study under review will determine the standards and make recommendations.

Solicitor Allshouse said the Township cannot hold up the plans because the three outside agencies are still reviewing the applications.

Karl Smith wanted to know after the agencies' review if the plans would need to come before the Planning Commission? the plans would go the Supervisors for approval.

Chairman Agar said the developer has met all requirements for approval, except for the three contingencies, it is almost impossible to deny the plan.

Plan

Chairman Agar made a motion to approve the plan #2023-13 AAMPA Holdings with the following three conditions: the NPDES Review and approval by the County Conservation District and PADEP, review and approval from Newville Water /Sewer Authority to provide Water and Sewer, and PennDOT approval of the Traffic Impact Study and any required Highway Occupancy Permits. Chairman Agar withdrew his motion.

Waiver

On an **Agar/Finkenbinder** motion, the Board unanimously **approved** the waiver request for the Preliminary & Final Subdivision Plan.

Plan

Chairman Agar reinstated his prior motion to approve the #2023-12 AAMPA Holdings plan.

On an **Agar/Finkenbinder** motion, the Board unanimously **approved** the #2023-12 AAMPA Holdings Subdivision & Land Development Plan with the three conditions: the NPDES Review and approval by the County Conservation District and PADEP, review and approval from Newville Water /Sewer Authority to provide Water and Sewer, and PennDOT approval of the Traffic Impact Study and any required Highway Occupancy Permits.

Accept Time Extension for Lexington Land Developers Corporation (1525 & 1617 Newville Road) until (June 30, 2024)

*On an **Agar/Mains** motion, the Board unanimously **approved** the time extension for Lexington Land Developers Corporation until June 30, 2024.*

Accept Time Extension for Over Lands of Isabelyn, LLC (Back Street) until (May 20, 2024)

*On a **Finkenbinder/Mains** motion, the Board unanimously **approved** the time extension for Over Lands of Isabelyn, LLC until May 20, 2024. Resident Joshua Miller asked how many time extensions can be issued to this plan, it was noted as many as the developer requests.*

Discussion on Purchase of a Roller with American Rescue Plan Funds

After some discussion on the quotes received the Board decided on the 2024 Hann Model from Groff Tractor & Equipment.

*On a **Mains/Agar** motion, the Board unanimously **approved** the purchase of the 2024 Hann Roller in the amount of \$42,600.00 paid from the American Rescue Account.*

2024 Donation for Big Spring Senior Citizen (March Madness) = \$2,500.00 Budgeted

*On a **Finkenbinder/Mains** motion, the Board **approved** the 2024 donation of \$2,500.00 to the Big Spring Senior Center (Partnership for Better Health).*

Approve Big Spring Watershed Spring Clean-up Day, April 20, 2024 (9am-11am)

The Board authorized James Heishman to assist with the Big Spring Watershed Clean-up, on Saturday, April 20, 2024. The President of the Big Spring Watershed thanked the Board for their continued support in supplying a driver for the clean-up.

Request Letter for Equine Crossing Signs @ 615 Greason Road from (Crystal Lucas)

The Board received a request from Crystal Lucas, resident of 615 Greason Road for two "Equine Crossing" signs to be installed at her property.

*On a **Finkenbinder/Mains** motion, the Board unanimously **approved** the installation of the two "Equine Crossing" signs. The Township will order the signs, posts and hardware and invoice the homeowner, after the payment is received the Township Road crew will install the signs.*

Wayne E. Myers continue Part-Time Employment as Wastewater Treatment Plant Operator as needed at current rate of pay

*On a **Mains/Agar** motion, the Board unanimously **approved** Wayne Myers continued part-time employment as needed to the West Pennsboro Township Wastewater Treatment Plant at the same rate of pay as he currently made.*

Approve 2024 WCCOG Road Bids

*On a **Mains/Finkenbinder** motion, the Board unanimously **approved** the following aggregate bids:*

- #1 Stone at \$19.20 per ton delivered from York, and \$14.00 per ton picked-up from Pennsy.
- #2A Stone at \$14.00 per ton delivered from York, and \$8.50 per ton picked-up from Pennsy.
- #3 Stone at \$19.20 per ton delivered from York, and \$14.00 per ton picked-up from Pennsy.
- #8 Stone at \$19.20 per ton delivered from York, and \$14.00 per ton picked-up from Pennsy.
- #8 Stone Washed \$23.50 per ton delivered from York.
- #10 Stone at \$17.00 per ton delivered from Pennsy, and \$10.00 per ton picked-up from Pennsy.
- #57 Stone at \$19.20 per ton delivered from York, and \$13.95 per ton picked-up from York.
- 2 RC Stone at \$14.00 per ton delivered from York, and \$7.00 per ton picked up from Pennsy.
- Type AS3 Anti-skid (limestone) at \$21.78 per ton delivered from Pennsy, and \$14.75 per ton picked-up from Pennsy.
- Type AS2 Anti-skid (Sandstone) at \$21.73 per ton delivered from Pennsy, and \$14.00 per ton picked-up from Pennsy.

*On an **Finkenbinder/Mains** motion, the Board unanimously **approved** the following Oil, Equipment and Equipment Rental bids:*

- CRS-2 (E-3) at \$2.87 per gallon picked-up from Russell Standard.
- CRS-2PM (E-3M) at \$3.15 per gallon Delivered/Applied from Wilson Paving.
- Schedule of Equipment \$11,040.00 from Wilson.

*On an **Finkenbinder/Mains** motion, the Board unanimously **approved** the following bids for:*

- Creek Road Paving Project in the amount of \$100,140.00 from Wilson Paving.
- Creek Road Widening Project in the amount of \$55,300.00 from Wilson Paving.
- Goodyear Road Widening Project in the amount of \$64,292.00 from Wilson Paving.

*On an **Agar/Mains** motion, the Board unanimously **approved** the following bids for Line Painting in the amount of \$87,935.84 from Midlantic Marketing,*

**WEST PENNSBORO TOWNSHIP RECREATION ADVISORY COUNCIL
REPORT –**

Chairman Reifsnnyder reported the first scheduled activity “Stargazing” is scheduled for Saturday, April 6, 2024, in the Township Park.

He has also contacted General Recreation, who provide exclusive playground equipment to get ideas and pricing for additional equipment at the park. The Board recommended reaching out to Jeff Shope for guidance.

Member Miller reported that the Car Show is scheduled for Saturday, May 18, 2024, at the park. He discussed charging a registration fee to participants noting that all proceeds would be donated to a charity. He also asked the Board to donate up to \$500.00 towards the purchase of silent auction items.

*On a **Finkenbinder/Mains** motion, the Board unanimously **approved** a donation to the RAC Board of up to \$500.00 towards silent auction items.*

He will provide an itemized list to the Board of the expenses. Solicitor Allshouse said the RAC cannot make any profits from the Car Show.

Solicitor Allshouse noted a line item should be added to the 2025 budget for any RAC items in the amount of \$1,500.00.

ZONING & CODES ENFORCEMENT OFFICER REPORT

Zoning Officer Wilson presented reports to the Board for their review.

SOLICITOR REPORT

The Township Solicitor reports he will not attend the next Board meeting but will be available via phone.

ADJOURNMENT

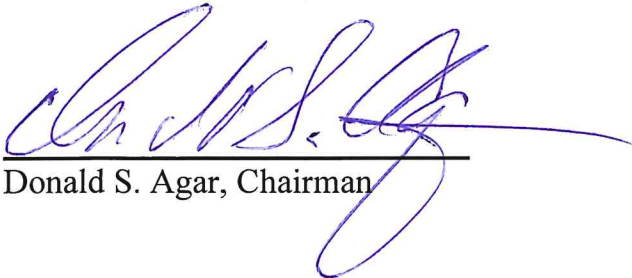
*On a **Finkenbinder/Mains** motion, there being no further business to come before the Board, the meeting was adjourned at 7:45P.M.*



Charles Finkenbinder, Vice Chairman



Rick Mains, Jr. Supervisor



Donald S. Agar, Chairman

**WEST PENNSBORO TOWNSHIP BOARD OF
SUPERVISORS MEETING**

March 25, 2024

Please sign and print your name so that we may properly record your presence at the West Pennsboro Township Re-Organization Meeting this day March 25, 2024, at West Pennsboro Township Building.

1. Don Weston
2. PAUL GOULDY
3. KATHY GOULDY
4. [Signature]
5. Millard Finkender
6. Michael Rebyde
7. Karl Smith
8. Arthur Spelae
9. Dave Wickard Co. 46
10. [Signature]
11. Jane Eaton
12. Cheryl Mooney
13. [Signature]
14. Brian Eaton
15. Monna C. Weer

16. Victoria Comandreas
17. Stuart Leung
18. Dan Miller
19. Kory Trimmer KS
20. Meghan Trimmer →
21. Mary Schlusser Mary Cll
22. Aiden Kronberg
23. Justin Dohy ✓
24. Colin Hurley
25. Brett Flower
26. Bradley Angele
27. Jeff Cochick
28. Tony PATTI
29. ANNETTE PATTI
30. Lester West
31. Lloyd Farrawds
32. Dan Lehman
- 33.
- 34.
- 35.
- 36.
- 37.
- 38.
- 39.

Preliminary/Final Land Development and Subdivision Plan for AAMPA Holdings, 3485 RITNER HWY,
11/12/2023

Post Construction Stormwater Management Report, FSA, November 2023

Geotechnical Engineering Report, ECS Mid-Atlantic LLC, June 20, 2023

Geotechnical Engineering Report for Stormwater Management, ECS Mid-Atlantic, LLC, May 30, 2023

I want to thank the Board of Supervisors for carefully considering the concerns of the public and evaluating the impact of the proposed project. It is not an easy task to balance the various needs and interests of members of the community.

The Big Spring Watershed Association is a community organization that has worked to restore, enhance, and protect the Big Spring for over 20 years. Big Spring Creek is designated as a High Quality/Exceptional Value waterway. It is home to one of the highest densities of brook trout in the Commonwealth and is a place of recreation for many members of the community. Furthermore, Big Spring Creek serves as Newville's secondary water source and the ground water that creates Big Spring is also the source of water for residential wells in the area.

The proposed development is about 3500 feet upgradient from Big Spring and is within its surface watershed. The proposed site sits on limestone with many karst features such as sinkholes and surface depressions. Karst aquifers are vulnerable to contamination when the natural filtration capability of soil is bypassed due to thin soils, sinkholes or subsurface open fractures and voids. Contaminants can enter the karst system and travel long distances over a relatively short period of time. The DEP's Best Management Practices manual for Storm Water Management states: "When addressing stormwater management issues, the complexities of a karst system demand a more rigorous scrutiny than other geologic settings." (DEP SWMM, Section 7.4, pg. 12)

We are concerned that the proposed stormwater management plans are not appropriate for the topography and geology of the site. They will encourage the creation of sinkholes and pose a danger of contamination getting into the ground water feeding Big Spring and residential wells.

Furthermore, the plans do not adhere to the Township's Stormwater Management Ordinances and its SALDO. West Pennsboro's SALDO states "Infiltration and groundwater recharge stormwater facilities shall be located, designed, constructed in accordance with the Pennsylvania DEPs NPDES Permit and Post Construction Stormwater Management guidelines for stormwater discharges." This includes following the DEP's Stormwater Management Manual. The West Pennsboro

Preliminary/Final Land Development and Subdivision Plan for AAMPA Holdings, 3485 RITNER HWY,
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Furthermore, best management practices clearly discourage infiltration systems well below current grade in karst topography because of associated risks to ground water:

If the BMP depth will be greater than 90 inches below existing grade, deeper excavation will be required. However, such depths are discouraged, especially in karst topography. Except for surface discharge BMPs (filter strips, etc.) the designer is cautioned regarding the proposal of systems that are significantly lower than the existing topography. The suitability for infiltration may decrease, and risk factors are likely to increase. Locations that are not preferred for testing and subsurface infiltration BMPs include swales, the toe of slopes for most sites, and soil mantels of less than three feet in Karst topography. (DEP SWMM, Appendix C, pg. 4)

Overall, the use of subsurface infiltration basins resting directly on limestone bedrock is not appropriate to the site given the depth of the basins and the karst topography and does not adhere to best management practices. Their use poses an undue threat to contamination entering ground water and the creation of sinkholes.

2. The stormwater management plans do not adhere to best management practices in regard to the ratio of impervious drainage area to infiltration area of a stormwater system.

A core principle of stormwater management on karst is to spread the water out as much as possible for infiltration. These plans do the opposite.

The developer's storm water management report openly admits that the basins do not adhere to the best management practices on karst of a maximum 3:1 ratio of impervious surface to filtration areas. The report explains that, "The impervious surfaces cannot be reduced in order to meet the needs of the business." The ratios of the impervious area to infiltration area for both the surface and subsurface basins are not even close to the maximum BMP for karst areas. For all 14 infiltration basins on site, the ratio is 5.1 to 1 and for the subsurface basins specifically the ratio is 5.54 to 1. This concentration of stormwater will encourage the development of sinkholes and potential contaminated run off entering the ground water. (DEP SWMM, Appendix C, pg. 15)

Preliminary/Final Land Development and Subdivision Plan for AAMPA Holdings, 3485 RITNER HWY,
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Conclusion:

Ultimately, the current plans do not adhere to the DEP's best management practices for stormwater management and pose a threat both to Big Spring Creek, which is the secondary water source for Newville, and to the ground water and residential wells in the area.

We request that the Board of Supervisors deny this application for failure to comply with Section 529 of the township's SALDO and Section 301 of the Stormwater Management Ordinance.

The following conditions should be met before approval of the application.

1. Storm water management plans should be redesigned so that impervious surface area and infiltration area adheres to the best management practice of a 3:1 ratio.
2. The use of appropriate surface infiltration basins in accordance with best management practices given the karst geology of the site.
3. Revise the stormwater report to include data showing the lengths for each stormwater basin where the inverts fall below top of bedrock.
4. Conduct comprehensive dye testing at the sinkholes or test wells on site to determine direction of the underground ground water conduits and ascertain potential impact of stormwater runoff on Big Spring, local wells, and Newville's water supply.

Respectfully submitted.

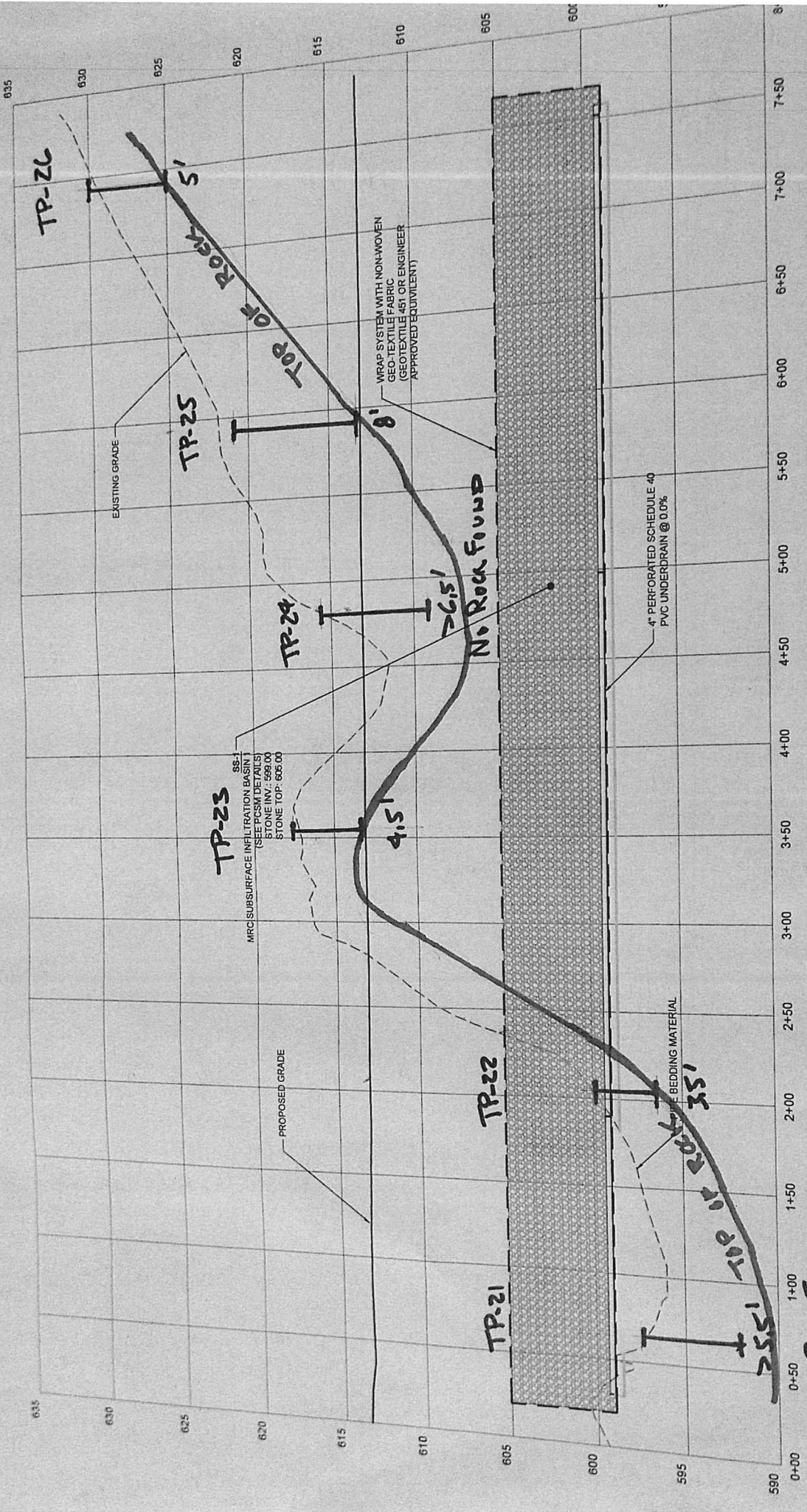
Mark Spicka

President, Big Spring Watershed Association

March 25, 2024

mespic@ship.edu

<https://bigspringwatershedassociation.org/>



MRC SUBSURFACE INFILTRATION BASIN 1 PROFILE

SCALE: H 1"=50', V 1"=5'