

**FREEDOM TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
February 15, 2019  
7:00 P.M.**

**BOARD OF SUPERVISORS**

Allen Beckett, Chairperson  
Paul Kellett, Vice-Chairperson

**TOWNSHIP OFFICIALS - PRESENT**

Zachary Gulden, Township Manager  
Linus Fenicle, Township Solicitor

**MEMBERS OF THE PUBLIC - PRESENT**

Ed Buchheit, Mary Buchheit, Dan Oyler, Kurt Williams, Amy Naill, Scott Cooley, Ken Cooley, & Jim Holler.

**CALL TO ORDER**

Chair Beckett called the Board of Supervisor's Meeting to order at 7:00 p.m. Supervisor Matt Young was noted as absent.

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the January 7, 2019 reorganization meeting. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the January 7, 2019 regular meeting. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

**FINANCIAL REPORT, BILLS, & TRANSFERS**

Vice-Chair Kellett made a **MOTION** to approve the financial report and bills in the amount of \$31,410.13. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

Chair Beckett made a **MOTION** to approve a transfer of \$100.00 from the General Fund to the Park & Rec Fund and a transfer of \$24,925.47 from the 2018 General Fund excess to the Capital Reserve Fund. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (2-0).

**ROAD REPORT**

The road crew completed the following tasks in January:

- Plow, salt, and anti-skid roads.
- Trash pickup, brush cutting, and clearing leaves at culvert pipes.
- Fill potholes on Rohrbaugh Road, and clear debris from winds.
- Replace two light fixtures, spinner disc on Dodge Truck, and replace broken shackle on International Plow.
- Pickup kerosene for shop heater and misc. other snow related work.

<b>Road Crew Employee</b>	<b>Hours Worked</b>	<b>Mileage</b>
Mike Wenschhof	61	0
Ed Wenschhof	36	0
Allen Beckett	0	0

Vice-Chair Kellett made a **MOTION** to approve January's Road Report as submitted. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

**EMS & FIRE REPORTS**

The EMS report was not submitted for the month of January.

Mr. Dan Oyler, President of the Greenmount Fire Department, read the fire report for the month of January. The Greenmount Fire Department had a total of 8 calls for the month of January. Their calls included: 1 vehicle fire, 1 cardiac arrest, 3 auto alarms, and 3 structure fires. Of those calls 5 were to Freedom Township, 1 to Frederick County, 1 to the Gettysburg Borough, and 1 to Cumberland Township.

**OLD BUSINESS****A. Conference call with Dan Cohen from the Cohen Law Group.**

- **Direct the Township's Solicitor to notify Comcast that we wish to renegotiate our contract (we must notify Comcast that we wish to renegotiate our contract by May of 2019, or it will automatically renew for five years with the same terms).**

Mr. Gulden said the conference call has been canceled, but he is still requesting the motion.

Vice-Chair Kellett made a **MOTION** to direct the Township's Solicitor to notify Comcast that we wish to renegotiate our contract. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

Mr. Gulden said the Adams County Council of Governments (ACCOG) is banding together in order to renegotiate all of their Comcast agreements at once. Municipalities are requested to send a delegate in order to choose a law firm to conduct the negotiations.

Chair Beckett made a **MOTION** to appoint Vice-Chair Kellett as Freedom Township's delegate to the Comcast ACCOG meeting negotiations. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (2-0).

## **NEW BUSINESS**

### **A. Proposed zoning text amendment – Special Occasion Facility.**

Mr. Gulden said the Alan Trider Trust comes before the Board of Supervisors of Freedom Township as the equitable owner of the Middle Creek Bible Conference property and requests that the Supervisors, pursuant to Article 18 of the Freedom Township Zoning Ordinance, enact an ordinance that amends the Ordinance to provide for a definition of Special Occasion Facility, provide for such use as a conditional use in the RC zone, and provide specific criteria for such use. The property has been utilized in the past as the Middle Creek Bible Conference for religious retreats and educational programs. As such, the property is tax-exempt. The property is primarily wooded and undeveloped, but is improved with a 6,105 square foot social hall and a 17 room overnight lodging facility. A privately owned and operated sanitary sewage treatment facility serves the property. The petitioner proposes to use the property as a Special Occasion Facility to hold banquets, weddings, meetings, fund-raising events, conferences and similar functions. Special Occasion Facilities are not a permitted, conditional, or special exception use within Freedom Township. The petitioner believes that a Special Occasion Facility, with appropriate specific criteria, will be a use consistent with the surrounding neighborhood and be consistent with the intended purpose of the RC District.

Mr. Kurt Williams stated he works for Salzman Hughes and represents the petitioner. He said the property is approximately 140 acres and is within Freedom and Liberty Townships. The lodge and road access is within Freedom Township. He said the property is no longer being actively used as a Bible Conference. The proposed text amendment would add the definition of Special Occasion Facility and specific criteria. He said that one of the specific criteria is only allowing properties with at least 25 acres to be allowed this use. This use would be a conditional use, which he said would allow the Board to impose reasonable conditions. He said this property would go back on the tax rolls if allowed, which would benefit the Township, Adams County, and the Gettysburg Area School District. The facility would employ local residents. The property would be put to a meaningful use for family gatherings, weddings, conferences, etc. He said the water and sewer infrastructure is already in place. Mr. Williams requested the Board forward the proposed amendment to the County and Township's Planning Commission for review and comment.

Chair Beckett asked if there were any public comment on this matter.

Ed Buchheit asked how this request is different than the past request of the proposed casino.

Vice-Chair Kellett said there are 63 tracts in Freedom Township in excess of 25 acres, so he does not believe this would be spot zoning. He said the proposed ordinance does not have enough specific criteria, such as: maximum number of guests, maximum impervious coverage, etc. He said that this property could turn into the Great Wolf Lodge, waterpark, or the Carlisle Car Show. The criteria provided would not prohibit uses such as these. He said the Township just started the process of updating the Zoning Ordinance. He said he knows his personal opinions, but this process will allow us to hear the opinions of the residents of Freedom Township.

Mr. Williams asked if Freedom Township currently allows Special Occasion Facilities anywhere in the Township. Vice-Chair Kellett asked if the applicant was proposing a curative amendment. Mr. Williams said no.

Mr. Scott Cooley said he is on the Board for the Middle Creek Bible Conference. He asked the zoning district where the casino proposed to go. Vice-Chair Kellett said most people call the lot the Mason Dixon Country Club, and it is zoned mixed use. It is located at the Intersection of US Route 15 and Bullfrog Road. He said the Township did not turn down the request of the Casino; however, it was turned down by a citizen referendum. Vice-Chair Kellett said this request and the casino's request greatly differ. Vice-Chair Kellett reiterated that the Board budgeted this year to update the Township's Zoning Ordinance, and he recommended Mr. Cooley be involved in the process. Mr. Fenicle clarified that the Board never voted on a text amendment regarding the casino, because the applicant withdrew that request.

Chair Beckett said he does not like text amendments, and he has never voted in favor of a text amendment. Chair Beckett said that the Township just started the process of updating the Zoning Ordinance, so we can get input from the public. He said the public, during the Zoning Ordinance update, will tell the Board what uses they do and do not want.

Ms. Amy Naill asked the zoning district of the Middle Creek Bible Conference Lot. Vice-Chair Kellett said Rural Conservation (RC). She asked if they could build houses on the lot instead. Vice-Chair Kellett said they could build one house per five acres. Ms. Naill said they could create a development on the lot, which would be more impact than the Special Occasion Facility use. Vice-Chair Kellett said he does not have a problem with this concept; however, the Township is about to update the Zoning Ordinance, and he would like more input from residents. Ms. Naill said she would like to see this property back on the tax rolls.

Chair Beckett made a **MOTION** to deny the proposed zoning text amendment for special occasion facilities. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (2-0).

Vice-Chair Kellett made a **MOTION** to return the zoning text amendment fee to the applicant. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

Mr. Ken Cooley, board member for the Middle Creek Bible Conference, asked the Board what requests they would favor. Chair Beckett said they cannot do that, and he restated that the Township is about to update the Zoning Ordinance.

Mr. Jim Holler stated that they had a meeting with Mr. Gulden, and Mr. Gulden recommended they propose a text amendment. Mr. Gulden said he told the applicants their options available from the Pennsylvania Municipal Planning Code (MPC). He said the MPC allows for zoning text amendments. The Board of Supervisors can forward the proposed text amendment to the Planning Commission and Adams County to start the process or they can simply deny the request.

**B. Authorize the Township to participate in the Adams County Multi-Hazard Mitigation Plan 2020 update.**

Vice-Chair Kellett made a **MOTION** to authorize the Township to participate in the Adams County Multi-Hazard Mitigation Plan 2020 update. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

**C. Consideration / approval of Resolution 2019-02 – a resolution adopting the fee schedule for administration of the Sewage Facilities Act and the appointment of sewage enforcement officers to issue sewage permits in Freedom Township.**

Vice-Chair Kellett made a **MOTION** to approve Resolution 2019-02. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

**OTHER BUSINESS**

**A. Letter received from the Adams County Planning Department. The draft Central Adams Joint Comprehensive Plan is available for review and comment. A public hearing will be held at 6:00 PM on Tuesday, February 26, 2019 at the Cumberland Township Municipal Building, 1370 Fairfield Road, Gettysburg, PA.**

Mr. Gulden said he also just received the same letter for a public hearing held on March 25, 2019 at the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA.

The Board acknowledged the letters.

**B. Notice received that the Middle Creek Bible Conference will be applying for a NPDES permit renewal for discharge of treated sewage effluent to Middle Creek.**

The Board acknowledged the notice.

Vice-Chair Kellett said he would like to waive his right to receive his Supervisor's salary. This change will start in March; therefore, \$1,562.50 remains in the 2019 budget for Vice-Chair Kellett's salary.

Vice-Chair Kellett made a **MOTION** to increase the yearly donation to the Greenmount Fire Department in the amount of \$1,562.50. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-0).

### **STAFF REPORTS**

#### **A. Manager / Zoning Officer**

Mr. Gulden said he has been busy submitting documents needed in order for the Township to receive PA Liquid Fuel's funding. He also said he approved one zoning permit for the month of January.

#### **B. Solicitor**

None

#### **C. Adams County Council of Governments**

Vice-Chair Kellett said he was unable to attend the January meeting.

### **PUBLIC COMMENT**

None

### **ADJOURNMENT**

There being no further business Vice-Chair Kellett made a **MOTION** to adjourn. The Motion was **SECONDED** by Chair Beckett. Chair Beckett adjourned the meeting at 7:54 p.m.