

**SILVER SPRING TOWNSHIP
CONSERVATION AND PRESERVATION
COMMITTEE MEETING**

MINUTES

Date: February 1, 2010.

Time: 5:30 p.m. to 6:45 p.m.

Place: Silver Spring Township Municipal Bldg.

Members Present: Bony Dawood, Dennis Hrzic, Jeff Kelly, David Lenker, John Murphy, Joseph Ricci, Lionel Spenard, George Weimer, Susan Zalesky and Maryann Demagall.

Staff Present: Bill Cook, Township Manager.

Others Present: Residents Steve and Judy Sunday, Robert and Darlene Sunday, Vince DiFilippo, Township Supervisor, Karen Lutz, Regional Director Appalachian Trail Conservancy, Jim Foster, President CVATC, Don Badorf, Director CVATC, and Craig Dunn, Trailmaster CVATC.

Public Comment: Robert Sunday expressed the **safety aspect of the Appalachian Trail (AT) on Appalachian Drive**, where hikers cross the Turnpike over a bridge with no walkway. He recommends that **officials inspect the safety of this part of the AT** and perhaps relocate nearby where the geography is favorable. Jim Foster agreed that this portion of the AT is dangerous but availability of funds to reroute the trail about ½ mile might be a problem. Dave Lenker, in **suggesting a road sign could help alleviate the danger**, asked if any similar terrain in the township ever resulted in a road sign to warn of a danger to hikers. Jim Foster agreed that a sign could be a band-aid fix to the problem. He said a sign was posted on Route 944 in 2004 to address a dangerous spot on the AT. Dave Lenker suggested that **Bill Cook send note to the Board of Supervisors about erecting a sign for Appalachian Drive**. Since the Turnpike Commission is replacing some bridges over the Turnpike, Denny Hrzic questioned if the bridge in question is being replaced and is there a memorandum of agreement to provide a pedestrian walkway for hikers if so. **Bill Cook volunteered to make a phone call to the State to ask if there are plans to replace the bridge.**

Steve Sunday asked if there were any **restrictions in the AT zone for building a garage or paving a gravel driveway** prior to a new ordinance. He has contacted Township staff, and a meeting with Jim Hall, Zoning Officer, is scheduled.

BUSINESS:

Chairman's Report: Dennis Hrzic, Chairman, called on Vince DiFilippo, a member of Cumberland County Agricultural Preservation Board. Vince reported that **4 or 5 farms** in the county are under consideration for the **agriculture preservation easement program**. One Silver Spring Twp. farm is ranked low on the list.

Hrzic introduced and welcomed **Lionel Spenard as a new member of the Conservation and Preservation Committee**. Also introduced were **Karen Lutz, Jim Foster, Don Badorf, and Craig Dunn from the Appalachian Trail Conservancy**. Previous to this

meeting, Denny Hrzic toured the AT view corridors identified in Silver Spring Township with members of the AT Conservancy.

Conservation and Preservation:

Appalachian Trail Protection Act (Act 24): Jim Foster gave an overview of the Cumberland Valley Appalachian Trail Conservancy (CVATC) which is responsible for maintaining and conserving the AT from South Mt. to Blue Mt. Foster said Act 24 allows municipalities to preserve the beauty and character of the AT. He **identified two view corridors in Silver Spring Twp. and said they are important vistas to preserve.** One is the corridor running from Bernheisel Rd. to Blue Mt. The other is east of Old Stonehouse Rd., which has historical value. After viewing the Township proposed ordinance, **Foster said section 906.06 of the handout given to those present should be included in the ordinance. This section is titled “View Protection Overlay District” and designates that certain views need to be protected.** He said industrial buildings should be limited under permitted uses. He recommends a montage of photos be made of the AT vistas.

Karen Lutz worked with Penn State landscape architecture because the region she’s responsible for is agriculture based. **The National Park Service worked with the farmers** in the region when establishing the Trail. Lutz said the AT was public owned in the late 50’s and early 60’s. She said the AT is used for environmental monitoring and educational opportunities and is more than just a hiking trail.

Craig Dunn identified the near view, mid-view, and distant view of the viewsheds.

He said the **near view is the most important** one and that the U.S. Forest Service doesn’t preclude development but considers the character of the scene.

The chairman mentioned the August 2010 deadline, but **stressed the importance of the welfare of the landowners when developing an ordinance to protect the AT.**

Joe Ricci brought attention to whether there is **appropriate justification** in adopting a viewshed from South Mt. to Blue Mt. with overlay district restrictions. He said legal, township zoning would be immaterial and would deny property owners to use their land as zoned and that government regulation can take land without due process or compensation as eminent domain. **Ricci said the residents need guidance and need to be engaged in discussion of overlay districts.**

Jim Foster said that Act 24 gives municipalities flexibility and authority to act to protect the AT and that **Pennsylvania has a natural resource amendment to protect natural and historical resources.** He said attention should be drawn to the impact on landowners, including those distant from the trail but in the viewshed. **Karen Lutz** added that **not everything in viewshed is weighed equally** in relation to the different types of views. She also suggests **more dialogue be given about the 150 foot overlay** in the proposed Township ordinance.

Other Business: John Murphy presented changes to the development plan for Mulberry **Court on Texaco Road** after the Planning Commission recommended an improvement to **save more trees.** Murphy said the **grading of roads was modified and the open space around the perimeter would contain the existing trees.** The modified plan is to be presented to the Planning Commission.

The **next meeting will be held on Monday, March 1, 2010 at 5:30 p.m.**