

CUMBERLAND TOWNSHIP PLANNING COMMISSION

Minutes of the August 11, 2016 Regular Meeting

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairperson Jim Henderson. The meeting was recorded.

ATTENDANCE

Present were Jim Henderson, (*Chairperson*) Barry Stone, (*Vice Chair*) Stephen Tallman, Dennis Hicketier, Kenny Caudill, Bill Naugle (*Zoning Officer*), Michele Long (*Planning Commission Secretary*), Leah Heine (*Township Engineer*), Sam Wisner, (*Township Attorney*).

Mr. Henderson announced that he would be rearranging the agenda to move the Chapter 27 Zoning Text amendments to the first item due to a member of the audience needing to be at another meeting later this evening.

APPROVAL OF MINUTES

Approval of the minutes from the July 14th, 2016 Planning Commission Meeting.

Mr. Caudill made a motion to approve the minutes from the July 14th, 2016 Meeting. 2nd by Mr. Stone.

Vote: Yea - 5 Nay - 0

Motion Carried

PUBLIC COMMENT

Mr. Doug Gross, 938 Barlow-Greenmount Road; spoke of many concerns with the land development plan for Keystone Service Systems. Mr. Gross spoke of water runoff issues, storm water management concerns, the need for a privacy buffer between his property and the subject project, new wells being drilled may affect his well and water supply.

Mrs. Jean Stone, 1745 Mummasburg Road; Mrs. Stone gave a handout to the Commission regarding the proposed text changes. Mrs. Stone asked if she could review these items as they are discussed.

ACTIVE BUSINESS

N/A

NEW BUSINESS

Chapter 27 Zoning Ordinance Changes

Recommendation

Review of proposed updates/amendments to Chapter 27 (Zoning) of the Cumberland Township Ordinance.

Mr. Sam Wisner, Township Attorney, reviewed the proposed changes with the Commission. Mr. Wisner first went over the potential zoning map changes. Mr. Wisner spoke of the following four properties in regards to map changes: 2199 Taneytown Road; 1685 Fairfield Road; the Township lots at 1370 Fairfield Road and 1435-1438 Chambersburg Road. The Commission agreed with the zoning map changes but would like the Township to speak with the owner's of the Davis property, neighboring 1370 Fairfield Road regarding their current zoning and if they would like

to be included in the current change from Institutional to Mixed-Use. Mrs. Stone was concerned regarding the address for 1435-1438 Chambersburg Road, she felt the address numbering was incorrect being there was an odd and even number on the same side of the road.

The Definition changes were reviewed. Mr. Wisner read the Adams County comments regarding common roof line and stated that he didn't have a problem with the suggestion from the County which was a little different from the Townships but still remedied the current issue with this definition.

Mr. Wisner moved on with reviewing proposed changes to Sections three through Section five which the Commission agreed with.

Mr. Wisner reviewed section six, regarding permitted uses in the Agricultural district. Mrs. Stone had comments regarding criteria for Child Day Care Centers in the Agricultural Residential zoning district and why there isn't any criteria for those centers in the Agricultural Residential zoning district and there is criteria for these in the Mixed Use and Residential districts. Mr. Wisner stated that the intent is for that criteria to be added as it is for the Mixed Use and Residential districts. Mrs. Stone also asked the reasoning in Section 12 (G) where it states no home child day care use shall be permitted within 750ft. of another home child day care use. Mr. Wisner stated he wasn't sure why that was in there and added he had no objection to this being deleted. Mr. Wisner asked the Commission if they had a problem with this coming out of the ordinance. The Commission had no objection to this section being deleted.

Mr. Wisner moved onto Section seven which was regarding maximum building coverage and Section eight regarding maximum impervious coverage. Mr. Wisner explained both of these sections. There was open discussion regarding impervious and building coverage's in the Agricultural Residential District and the Residential District. The Commission agreed on having a tiered option in the AR zoning district along with checking with other close Townships to see what their regulations are. Mr. Wisner and the Commission agreed with the County recommendations regarding coverage standards in the Residential, Residential Mobile Home and the Cluster districts.

Mr. Wisner reviewed Section 11 which the County commented on regarding required facilities in the Residential district, requiring central water and sewer facilities but not requiring those if the residential lots are two acres or greater in size. Mr. Wisner stated this was brought to the Townships attention by Mr. Sharrah from Sharrah Design Group because there are some lots that are located in the Residential district that are larger lots and are nowhere close to central water and sewer facilities but the property owners are then prohibited to do anything with them without these facilities. This change will allow on site water and sewer facilities if it is two acres or greater. The County feels whichever change is taken should be consistent with the Mixed Use District also. Mr. Wisner stated at this time the staff did not review this for the Mixed Use District and this will be reevaluated at the Comprehensive Plan time.

Mr. Wisner reviewed Sections 12 regarding home daycare centers. We are trying to differentiate between a home day care, where children are kept in a home and a childcare center which is more of a commercialized business

where children are taken for the day. Mr. Wisner agreed with the County comments and the Commission did also.

Mr. Wisner continued with Section 13 which covers permitted uses in the Mixed Use (MX) district. Mr. Wisner explained that the amendment is adding a wide variety of uses as permitted uses in the Business Park (BP) district. Mr. Wisner stated that currently the Township has a BP district but there isn't anything allowed in that district and it has very restricted impervious coverages. Mr. Wisner explained that this change is expanding what can happen in a business park and hopefully someday the Township can have a successful business park which would greatly help the tax base. The county was in agreement with the changes.

Section 14 was reviewed regarding development standards. Mr. Wisner explained that they removed the RO column from the table because it is no longer a district in the Township.

Section 15 is again about the maximum building coverages and maximum impervious coverages in Village Mixed Use (VMX), Mixed Use (MX) and the Business Park (BP) districts. Mr. Wisner explained that this change increases the coverage percentage requirements in the subject zones. Mr. Wisner stated the County gave a proposed table of changes that are similar to those found in comparable zoning districts used in Adams County and elsewhere. The Commission and Mr. Wisner were in agreement with the County's recommendations.

Mr. Wisner continued with Section 17 regarding self-storage facilities which recently we have had a number of these plans come to the Township and mostly all have the same issues. Mr. Wisner explained that the Township tried to address those concerns with these updated changes. The Commission and Mr. Wisner agreed that if there will be indoor storage of vehicles the fuel and batteries need to be removed from those vehicles but this rule will not be applied to them if it is outdoor storage. Mr. Wisner discussed the size of drive aisles and turning radius with the Commission. The Commission is requesting a circulation path around the storage facilities instead of a dead-end facility due to safety concerns. The Commission and Mr. Wisner were in agreement with the County regarding buffering around storage facilities being shown on sketch plans.

Mr. Wisner moved onto Sections 19 and 20. Mr. Wisner and the Commission were in agreement with the County regarding the Airport Hazard Overlay District.

Mr. Wisner asked if the Commission was in agreement with making the modifications recommended by the County and what they discussed this evening and he will come back to the September 8th meeting to review these changes.

The Commission broke for a 5 minute break period.

NEW BUSINESS

Keystone Service Systems – Barlow Greenmount Road

Recommendation

Review of a land development plan proposing a new residential building located on Barlow-Greenmount Road.

Ms. Heine, Township Engineer, reviewed the history of the plan and the location of the property. Ms. Heine gave an explanation of the lot and stated that the plan is being reviewed as a preliminary/final plan. Ms. Heine continued to explain that it is her understanding that the plan is to be an institutional/residential building and is located in the Mixed-Use (MX) zoning district. Mr. Caudill questioned the use of the project because their submittal sheet does not state it is an institutional/residential building. Ms. Heine turned the question over to Keystone Services because she was uncertain of the answer. Mr. Barry Newl, Regional Service Director for Keystone Service Systems Mental Health, stated that they considered their homes as residential. Mr. Newl gave a background of their homes, what they provide and the purpose for each home. Mr. Newl reviewed the specialized community residences overview packet which had been previously provided to the Commission for review. Mr. Newl stated that the patients are encouraged to work with malls, shopping centers and restaurants. Mr. Henderson questioned how the patients get to these jobs. Mr. Newl said there are vans that are used for transportation services. Mr. Caudill once again questioned the use of the project as it institutional-residential and if this was how it was being reviewed. Ms. Heine stated that the use deals more with the zoning and not the review portion but the use needs to be permitted in that zoning district. Mr. Wisner added that we are going to rely on Zoning Hearing Board and their final decision which was related to this project being an institutional-residential use which is permitted in the MX zoning district. Mr. Michael Reed, attorney representing the applicant, stated that the position was not that this is an institutional use, they are classifying this as a commercial/residential use which is a more appropriate description. Mr. Wisner briefly reviewed the zoning hearing board application to find that it was presented as a commercial/residential use not an institutional use. Mr. Steve Yingst, with Yingst Engineers representing the applicant, stated that he just received the comments from the Township engineer on Tuesday night and he hadn't had a chance to respond back to most of them but he has addressed all of the Adams County Planning comments. Mr. Yingst added that by the next meeting he would be able to address almost all of the Township Engineer comments. Ms. Heine added that she felt it would be appropriate to review the current engineering comments with the Commission. Ms. Heine then continued to review her comments with the Commission and Mr. Yingst. They discussed the state highway permit for the driveway, parking, tree removal, lighting, and policies for the residents regarding being able to have their own vehicle. Mr. Wisner suggested the applicant submit a revised set of plans before the next Planning Commission meeting. Ms. Heine stated that if we get revised plans hopefully things will be a lot clearer as to where items are going to be located.

Mr. Hickethier recommended to table the plan to next month to address engineering comments.

2nd by Mr. Stone.

Vote: Yea-5 Nay-0

Motion carried

OTHER BUSINESS

Zoning/Code Officer's Report

Mr. Naugle reviewed the July building/zoning activity with the commission.

ADJOURN

There being no further business, the meeting was adjourned at 9:40 p.m. by motion of Mr. Stone seconded by Mr. Tallman.

Motion carried.

Michele Long, Secretary