

CUMBERLAND TOWNSHIP PLANNING COMMISSION  
Meeting Minutes of December 10, 2020  
1370 Fairfield Road, Gettysburg, PA 17325

Call to Order: The Meeting was called to order at 7:00 P.M. by Chairman Barry Stone.

Attendees: Chairman Stone, Vice-Chairman Steve Tallman, Members Barbara Underwood (Virtual via computer); Kenny Caudill; Township Solicitor Sam Wiser; Zoning / Building Code Official Michele Long; KPI Technology Representative Leah Heine; Treasurer Camie Stouck-Phiel

Minutes of the November 12, 2020 Regular Meeting: ***Approved on a Tallman, Caudill motion; 4-0 vote.***

Public comments: None

New Business: Barry welcomed the new treasurer, Camie Stouck-Phiel

Active Business:

Duplex Property: Preliminary / Final plan re-submission proposing to combine two (2) previously recorded lots back to one (1) single lot located along Biglerville Road (previously recorded Sunny Daze subdivision). This plan was tabled until January. It was requested that the Planning Commission act on the Preliminary plan waiver request and asking to submit the plan as a preliminary/final. Township Solicitor, Sam Wiser stated that this is normal for a smaller plan like this one. **Tallman recommended a waiver of the Preliminary plan submittal, 2<sup>nd</sup> by Underwood; Motion Carried 4-0.**

Adams County Historical Society: Re-submission of Final Plan to construct a two-story museum and archives building along with a separate storage building located along Biglerville Road. Eric Johnston representing the Historical Society was present along with Andrew Dalton, Adams County Historical Society Director. Mr. Johnston advised he would address the KPI Engineering comments. Johnston stated that the two long-term items, the NPDES permit and the PennDOT permits had both been submitted and were being reviewed. Johnston stated that they were present tonight to request the Commission's conditional approval.

Leah Heine reviewed the KPI Engineering comments and she stated that they had addressed all the prior zoning comments, so they were moving on to the subdivision comments. The Commission had previously recommended four waivers. Two waivers "a" and "b" to submit a separate preliminary plan, and the requirement to provide concrete monuments as described, were recommended without any conditions. Waivers "c" and "d," included the requirements to have slopes less than 10% within 20' of the property line, and to have basin slopes of 3:1 and toe of slope within 40' of the downstream property line. Johnston stated that these last two waivers were submitted to the appropriate people and were being reviewed by their legal teams. Heine reviewed the Commission's previously discussed bus parking, and the requested consideration of one-way traffic completely around the building for buses. Johnston stated that they increased the radiuses out and around the Biglerville Road. They also increased the radius around the entrance. Johnston said they do not want to restrict traffic to one-way and feels that with the increased radiuses there will be ample space. They will also have signage, so again, do not feel they need to restrict traffic to one-way. Heine stated that KPI did not have

much concern on this issue before, and now with the modifications, they are ok with what Johnston is proposing.

Heine stated that the owner's or equitable owner's acknowledgement that needs to be executed is done at the very end.

Heine stated KPI could not verify that they had verified with the fire department that the two hydrants on the adjacent property are appropriate for serving the property. Johnston stated that when the building permit plans were submitted this would be addressed. Heine stated that she is concerned that with a commercial property, 330 feet must be able to be reached and with the two adjacent hydrants, there are areas on the building that won't be able to be reached.

Johnston asked for the contact for the Emergency Services Department from Long.

Johnston acknowledged that he is working on the sewage exemption and asked how the Township handles a willingness to serve letter. Wisner stated that this is generally handled as a separate action by the Board of Supervisors. Heine also asked Johnston if GMA had reviewed the water lines on the plan. Johnston stated that they are working with GMA and will make sure that this is accepted as a condition.

Leah asked for Johnston to provide her a copy of the easement agreement that is supposed to be attached to the plan. Johnston acknowledged this and said that he will get her a copy.

Heine asked if Johnston had received the first round of comments from E&S/NPDES, Johnston stated that the letter had been submitted two or three weeks ago, and they haven't received any comments. Leah said the Commission typically sees the first round of comments and how those comments are being addressed.

Heine stated that the comments from the traffic engineer just came in today.

Johnston is also working on a PennDOT permit for the new entrance location.

Leah wanted to revisit the pedestrian access to the site. The Planning Commission had previously indicated that an access easement should be identified on the plans and should be designed to show that it will work at the location that is proposed. Heine stated that they are concerned that an access is shown on a plan, and then a few years go by, and everything is built, and then because of slopes or a drainage swale, the easement doesn't actually work where it was proposed. Heine is concerned that there could be some steep banks and slopes in the proposed area on the plan. Johnston stated that they would label the 5-foot future pedestrian easement with notes.

It was mentioned that bonding of related improvements will be required, and a Stormwater Management Operations and Maintenance Agreement will be required for the facility proposed onsite.

Finally, the proposed fence was discussed. Johnston stated that they reached out to the zoning hearing board solicitor and a letter was provided so the Commission had a level of comfort.

Wisner stated that unfortunately the relief was not requested and wasn't granted. Wisner stated that this was not a decision of the Commission. Wisner stated that in the application there was no variance requested for section 15.04. He went on to state that it is very challenging when the applicant doesn't ask for relief, and the zoning hearing board decision doesn't include the relief. Johnston stated that the fence is a historical replication of a split-rail fence, the height is the issue. The fence is to be in place of a buffering. Johnston stated that they wanted to keep that buffering area open in the spirit of the Battlefield. Therefore, they proposed the historic split rail fence. Dalton stated that the Park Service is donating the materials for the fence. Wisner said this is all well and good, but the burden is still on the applicant to request specific relief. Wisner stated that this is Long's sole decision. She just received this information late today, so will need time to consider the request.

The Commission asked Dalton about overflow parking plans. Dalton explained that they would first apply for the special event permit and would then print and distribute maps of parking to any contacts they work with. He doesn't believe this will be an issue, as most of these events are

scheduled in the evenings when the entire parking lot would be available. Heine mentioned that there are no parking signs along the road being proposed.

**Caudill made a motion recommending approval to the Board of Supervisors with all the outstanding comments to be completed and to have Long render a decision on the determination of the height of the fence, 2<sup>nd</sup> by Tallman; Motion Carried 4-0.**

General: The Commission discussed open space. Mr. Wiser stated that this Commission has commented in the past that their concern is how do you demonstrate that not only is the large open space used but how is it interconnected with the slivers of open space in the front or the slivers of open space on the side. He believes that this Commission wants the applicants to demonstrate that there is some interconnectivity and beneficial use and not just calling set back areas open space. The Commission agreed on this goal. He believes these revisions would be part of the overall enhancement of the zoning ordinance for the comprehensive readoption. He stated that it would be good for the Planning Commission to have some expressed recommendations regarding open space. Wiser stated there are two factors to think about when talking about open space in a development. How do you calculate developable acreage and what mix is the right mix of open space? He stated this discussion only comes up in residential zones. Wiser stated that it seems like it will be a while for the zoning board to finalize the ordinance, that in the meantime there is nothing that would prevent the Planning Commission to make a recommendation to the Board of Supervisors for a current fix. Tallman is concerned that the Board of Supervisors would not want that done at this point. He believes it is more their call at this point. Wiser shared that his impression from some of the members of the Board of Supervisors was a little concern with the density and the overall mix and use of open space in plans such as Old Mill Overlook. Wiser stated that he believed the Board of Supervisors would find it helpful to receive information from the Planning Commission. Wiser said the Planning Commission has seen a lot of these plans over the past two years and raised the same issue about open space numerous times, and it seems to be an active issue. Tallman feels the Board of Supervisors should be requesting this action from them, he would rather be directed by the Supervisors. **Tallman made a motion requesting direction from the Board of Supervisors regarding the Commission's desire for proposed concepts or language to address open space concerns that have been addressed on recent plan submissions. 2<sup>nd</sup> by Underwood; Motion Carried 4-0.**

The Zoning / Building Code Officer's Report was acknowledged for November 2020.

There being no further business the Meeting was adjourned at 8:20 P.M. **Approved on a motion by Tallman, 2<sup>nd</sup> by Caudill. Motion carried 4-0.**

Submitted by: \_\_\_\_\_ Camie Stouck-Phiel, Treasurer