

CUMBERLAND TOWNSHIP PLANNING COMMISSION
Minutes of the June 14, 2018 Regular Meeting

CALL TO ORDER

The meeting was called to order at 7:00pm by Vice chairman Barry Stone. The meeting was recorded.

ATTENDANCE

Present were Jim Henderson (Chairperson), Barry Stone (Vice Chairperson), Kenny Caudill, Steve Tallman, Dennis Hickethier, Sam Wisner (Solicitor), Bill Naugle (Zoning Officer), Michele Long (Planning Commission Secretary), Annelise Niner (Administrative Assistant), Andrew Merkel (Adams County Office of Planning Director)

APPROVAL OF MINUTES

Approval of Minutes from the May 10, 2018 Planning Commission Meeting. **Motion to approve the submitted minutes was made by Dennis Hickethier and seconded by Steve Tallman.**
Vote: Yea- 5 Nay-0
Motion Carried.

PUBLIC COMMENT

There was no public comment at this time.

ACTIVE BUSINESS

Complete Planning Commission review and report of recommendations for the Draft Comprehensive Plan.

Vice Chairman Barry Stone asked the Commission if there were any additional comments to be added to the previous comments already submitted. Mr. Tallman asked what we do if we do not agree with the County responses? Mr. Andrew Merkel (Adams County Office of Planning Assistant Director) explained that if there is a disagreement that they would have to come to some type of agreement.

Mr. Sam Wisner explained to the Commission and public that the public comments this evening were not taken word for word, they are general notations of concern and comments were taken.

Motion: Mr. Hickethier motioned to recommend to the Board of Supervisors the comments previously made along with the public comments. Seconded by Vice Chair Stone.

Vote: Yea-5 Nay-0
Motion Carried.

NEW BUSINESS

DeSimon Lot 5 Revision- Re- Subdivision of Lot 5 created with the recent DeSimon-Rinehart plan located on Park Ave:

Ms. Leah Heine, Township Engineer Representative gave the history of the DeSimon Lot 5 property and why they were submitting it for a revision. Previously Parcel B (6,913.2 SF) was added to the Wisotzkey property but is now proposed to be added to DeSimon Lot 5. Now the resulting Lot 5 will contain 35,272 SF or .81 acres. Standard comments were presented.

Mr. Sam Wisner advised the Commission that they did receive the deed consolidation and that is was being taken care of.

Motion: Mr. Henderson motioned to recommend to forward to the Board of Supervisors. Seconded by Mr. Caudill.

Vote: Yea-5 Nay5

Motion carried.

Deborah Tufts Soliday- Proposing a .56-acre lot addition from a 2.78-acre residential lot:

Ms. Heine, presented the staff report. The plan proposes the removal of Parcel A (a 0.563-acre parcel) from the improved Deborah Soliday lot and adding it to the Soliday Family Limited Partnership parcel. The new Deborah Soliday lot will contain 2 net acres following the lot addition and will continue to the front of Taneytown Road. Ms. Heine also noted that this is in the Ag District. In addition, all comments have been addressed.

Zoning Comments:

- 1) It should be noted that the existing dwelling would be pre-existing non-conforming structure based on the building setback and any future expansion must comply with zoning ordinance requirements.

Subdivision Ordinance Comments:

- 1) Adams County Planning comments should be considered- review standard comments.
- 2) The full extents the Soliday Family Limited Partnership Parcel are not shown. It appears that several tracts make up the +-400 acre farm. It should be clarified if Parcel A is just being added to Tract 2 of the Soliday Family LP.
- 3) The tract 2 boundary line appears to be present as building setback lines are offset from it. The tract bearings and distances should included.
- 4) The tract 2 boundary line appears to be present as building setback lines are offset from it. The tract bearings and distances should be included.
- 5) The owners' acknowledgements should be executed.
- 6) Sewage Facilities Planning (non-building waiver) approval is required.
- 7) A Deed of Consolidation shall be recorded with the plans. A draft should be submitted for review. Will defer to the Soliday attorney on this section.
- 8) One concrete monument should be installed on a new common property corner.

Motion: Mr. Hicketier motioned to recommend to the Board of Supervisors with the condition that the comments are addressed.

Seconded by Mr. Henderson.

Vote: Yea-5 Nay-0

All in favor

David O'Malley & Charlene O'Malley- Review of a special exception to allow for a bed and breakfast operation to take place on their property located on Solomon Road:

Mr. Bernard Yannetti Attorney, presented the Special Exception case for Mr. & Mrs. O'Malley to have a Bed & Breakfast at their home located on Solomon Road. Mr. Yannetti explained to the Commission, that there would be no change to the current 4 Bedroom Stone house and out buildings.

Mr. Wisner reviewed with the Commission the processes of the Special Exception and the criteria they have to meet. Mr. Wisner and Mr. Yannetti reviewed the conditions.

Vice Chairman Stone asked in regards to condition #10, what would be the accessory use be? Mr. Yannetti explained that a potential accessory use would be the back patio that could be used for a cocktail party as well as other areas of the property.

Further discussion was held on the proposed use being a commercial use and other Bed & Breakfasts in the area. Mr. Caudill asked if there was adequate septic for the proposed use. Mr. Yannetti expressed that the current septic would be adequate. The Commission asked to have it checked and certified that it would be.

Motion: Planning Commission motioned to forward this to the Zoning Hearing Board, with the additional information requested in regards to the Sewage Enforcement Officer Certification of the current sewer system.

Vote: Ya-5 Na-0

James Paddock Subdivision- Proposing to recombine lots 2 , 3 and 4 of the previously approved/recorded Paddock Subdivision to create one lot of 28.7 acres that will access from Fairfield Road:

Ms. Heine presented to the Planning Commission the proposal of recombining Lots 2, 3 and 4 of the previously approved / recorded Paddock subdivision, to create one lot of 28.7 acres with access to Fairfield Road. In addition, the plan is to add Lot 6 to existing land of Brossioe and Paddock to create a new lot of 27.564 acres. All lots will be agricultural/single family residential lots.

Property owner Mr. Jim Paddock reviewed the brief history of the property.

Ms. Heine reviewed the Zoning Ordinance comments as well as the Subdivision Ordinance comments.

Zoning Ordinance Comments:

All zoning related items appear to be addressed

Subdivision Ordinance Comment:

- 1) Adams County Planning comments should be considered.
- 2) Sewage facilities planning (non-building waiver) approved as required. In this regard, the Farm B Note on sheet 1 should be updated to reflect new lot numbering.
- 3) The owner's acknowledgement should be executed. Additional signature lines should be added for Eleanor Brossoie & John Paddock.
- 4) The Land Conservancy Note #1 on sheet #4 should be updated.
- 5) It is unclear what General Note #5 on sheet 4 is referring to for "Lot 2"- Ms. Heine expressed that the Engineers would make the needed corrections.
- 6) Deeds of Consolidation will need to be provided for review and recorded with the plan. Ms. Heine explained that two deeds would need to be done. One for lot 6, being added to Parcel 1. And another deed for lots 2, 3 and 4.

Mr. Paddock asked Solicitor Sam Wiser for some direction in the one parcel that does not have a number or a name associated with it. There are as of right now two lot 1's. One that was added to Lot 6 and the other lot 1 that is on the other side of Fairfield Road. Mr. Wiser suggested calling the new lot, Lot #2, which is a combination of lots 2, 3 and 4.

Mr. Caudill asked if lot 5 had been sold. Mr. Paddock explained that yes, lot 5 has been sold. There will be two additional lots for sale, the new lot 2 and lot 1.

Motion: Mr. Steve Tallman motioned to forward recommendation to the Board for approval subject to KPI comments. Seconded by: Mr. Stone.

Vote: Ya-5 Na-0

6. GENERAL

Zoning/Code Officer's Report for May 2018

Mr. Naugle reviewed the May building /zoning activity with the Commission.

7. ADJOURN

There being no further business, the meeting was adjourned at 7:58pm by motion of Mr. Berry Stone. Seconded by Mr. Henderson.

Annelise M. Niner- Administrative Assistant