

**CUMBERLAND TOWNSHIP PLANNING COMMISSION MEETING  
Minutes of the October 11, 2018**

**CALL TO ORDER**

The meeting was called to order at 7:00 pm by  
Chairman Jim Henderson. The meeting was recorded.

**ATTENDANCE**

Present were Planning Commission members, Jim Henderson  
(Chairperson), Barry Stone (Vice Chairperson), Kenny Caudill, Steve  
Tallman, Dennis Hickethier, Michele Long (Assistant Zoning Officer),  
Annelise M. Niner (Administrative Assistant)

**ABSENT**

William Naugle (Zoning Officer)

**APPROVAL OF MINUTES**

Approval of Minutes from the September 13, 2018. Mr. Tallman asked to  
have the motion made for the Hartman, Maitland & Cory property  
corrected, to add “*look at safety and emergency access*” to the motion.  
**Mr. Steve Tallman motioned to approve the submitted minutes with  
the edit of the motion for Hartman, Maitland & Cory property.  
Seconded by: Dennis Hickethier.  
Vote: Yea- 5 Nay-0  
Motion Carried.**

**PUBLIC COMMENT**

There was no public comment at this time.

**ACTIVE BUSINESS**

**Lutheran Theological Seminary, subdivision of one (1) lot from  
current piece of property located on Seminary Ridge. This subdivision  
is located between Gettysburg Borough and Cumberland Township  
Districts.**

Ms. Leah Heine, Township Engineer Representative, presented the  
proposed subdivide lot from the Seminary property (currently 30 Acres)  
and convey it to the American Battlefield Trust (Lot 2, 10.36 acres). The  
residual parcel (Lot 1, 19.5 acres) will continue as an institutional use with  
continued Seminary ownership. The subject Seminary property is located  
mostly within Gettysburg Borough’s INS-1 Zoning district. A portion of  
the land, consisting mainly of a stormwater management basin lie within  
Cumberland Township’s INS (Institutional) and OS (Open Space) zones.

Ms. Heine discussed with the Planning Commission that the proposed lot 2,  
has an existing basin, the Seminary has a current Operation and  
Maintenance agreement for the basin. This Seminary would most likely  
maintain the existing agreement for the property. Ms. Heine has asked to  
have Mr. Sam Wiser (Township Solicitor) to look at the current  
Agreement, and to see how this will work as well as the current walking

trails. Ms. Heine indicated she was not sure if there is an Agreement for the walking trails.

Mr. Ron Garis, from Beyond All Boundaries spoke to the commission in regards to having their attorney Mr. Hartman review the letter from KPI and Adams County. To his knowledge nothing has been found in records in regards to an Agreement with the walking trails. The plan has been submitted to Gettysburg Borough for their review & comments.

Mr. Caudill asked both Ms. Heine and Mr. Garis where the existing well house is located, and is this in current use? Ms. Heine explained, yes, the well house is in use and this is used by Gettysburg Water Authority and this is Wellhouse #9. The proposed plans will go before GMA for their review as well.

Ms. Heine asked Mr. Garis when the issues could be resolved. He explained that he would again have to talk to Mr. Hartman in regards to some of the comments. As far as the Engineering and Surveying comments, he did not see an issue with those and could have those addressed.

Mr. Caudill questioned both Mr. Garis and Ms. Heine, once this property is given to the Trust, eventually it is given to the Park Service, do we lose all control of how the property's maintenance and agreements are taken care of? Ms. Heine was not sure and thought this was more of a legal issue.

Ms. Heine reviewed the subdivision ordinance comments with the Commission members.

- 1) The designer should review the application of a 20-foot building setback (versus a 25-foot setback) at the Open Space/institutional boundary between lot 1 and lot 2.
  
- 2) The following waivers are being requested:
  - a) A waiver to the requirement to submit a Preliminary plan.
  - b) To submit plans at scale no less than 1" = 50' - *Ms. Heine is in support of this waiver.*
  - c) To show the location and size of existing and proposed utility structures and /or transmission lines and all easements and right-of-way associated with them. *Ms. Heine explained that utilities along Seminary Ridge were not necessary to be shown. All others are shown on the plans.*
  - d) To show location, size and invert elevations of all existing proposed sanitary sewers and location of manholes. *Ms. Heine explained that they felt this was not necessary for this plan.*
  - e) To show location, size and invert elevations of all existing and proposed storm sewers with the size and material of each indicated, and proposed connections with existing facilities. *Ms. Heine explained it would depend upon how the agreements would play out. Would find it*

*useful to have these shown on the plans, therefore she was not in support of waiver E. Mr. Garis asked if there was as built's done on the storm water pond. Ms. Heine explained yes there was, and she would get a copy to Mr. Garis. Mr. Garis went on to ask if they would except the as built as an over lay, he would prefer to do that with the exception of the pond. He felt they would want to have all the inlets and piping into the pond shown.*

- 3) Adams County comments should be considered. *Ms. Heine explained that the top two comments made were in reference to the Stormwater & Walking Trails agreement.*
- 4) Sewage Planning (non-building waiver) should be addressed. – *Ms. Heine discussed that whenever you are making one lot into additional smaller lots, a Sewage Planning (non-building waiver) should be addressed. This will be taken care of.*
- 5) Any floodplain areas should be identified or lack thereof noted. *Ms. Heine noted that this is no longer a comment. It was located on the plan.*
- 6) Note 5 on sheet 3 is misleading as areas of wetlands were previously identified on Lot 2 on a 2012 plan. The second sentence of Note 5 should be removed. – *Ms. Heine asked that the second sentence be removed.*
- 7) Review and approval of the plan by Gettysburg Borough is required. *Ms. Heine has spoken to Chad from Gettysburg Borough and he is working on his comments.*
- 8) A copy of the plan should be provided to the Gettysburg Municipal Authority. *Ms. Heine explained that this is important to verify sizes of easements and locations.*
- 9) New Tract / Lot Consolidation Deeds should be provided.
- 10) Please check the Access Easement legend on sheet 3. It appears the stippled easement area should be for Phiel & Toddes. *Ms. Heine thought it was a typo, that was owned prior to Sheller, so it is correct.*
- 11) It should be clarified who will maintain the walking trail. It does not appear to be contained within an easement and is located entirely on Lot 2 which will be the responsibility of the American Battlefield Trust.
- 12) It will need to be determined who will be responsible for the continued operation and maintenance of the existing stormwater basin and structures located on Lot 2 within Cumberland Township. As proposed

we would understand that operation and maintenance would now be the responsibility the American Battlefield Trust following property transfer. The Township should consider if an updated Stormwater Operations and Maintenance (O&M) Agreement will need to be executed and recorded with the plan. *Ms. Heine explained that if the current agreement does not change or is altered and the Seminary will continue to maintain all the stormwater pond facility, this would not be necessary. However, if there is a change up in the maintenance and ownership, then we would need to see the new Agreement that references this plan. Mr. Garis stated his understanding is that the Seminary will maintain the agreements. Until we have some of these cross easements being put together by the attorneys, the current Agreement would stay in place. Ms. Heine did ask that Mr. Sam Wisner, Township Solicitor, please review this.*

**Motion: Mr. Caudill motioned to approve recommendation of the following waivers A, B, C & D only. Table the rest of the plans as submitted until further clarification is made. Seconded by: Steve Tallmen.**

**Vote: 5 Yay- 0 Nay**

## **NEW BUSINESS**

None on the agenda

## **GENERAL**

### **Zoning/ Code Officer's Report for September 2018.**

Ms. Long reviewed the September building / zoning activity with the Commission. Mr. Henderson asked Ms. Long what the 4 conditional use U&O's were for. She explained that these were four homes in the Cumberland Crossing development. These were granted by the Board of Supervisor.

## **ADJOURN**

**There being no further business, the meeting was adjourned at 7:47pm by motion of Mr. Kenny Caudill. Seconded by Dennis Hickethier.**

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**Annelise M. Niner- Administrative Assistant.**