

Hamiltonban Township Planning Commission
23 Carrolls Tract Road, Fairfield, PA 17320
Regular Meeting
March 25, 2008

Planning Commission Members: Chairman Curtis Musselman, William Shriner, Pamela Wiehagen and Recorder, Amy Harbaugh

Board of Supervisors: Chairman Robert Gordon, Road Master Jay Edward Deardorff and Police Coordinator Coleen Reamer

Others: Zoning Officer Milton Nicks, Tim Cormany from Martin and Martin, Inc., Doreen Premo, Recreation & Parks Commission, Barbara Nicks and Doug Woerner, Township Auditors and Dale Premo, Zoning Hearing Board

Public Citizens: Dave Donaldson, R. Lee Royer, Tim Senseney, Randell Holmes, Ed Richardson, Harry and Marilee Rood

Chairman Musselman called the meeting to order at 7:30 PM.

MINUTES APPROVAL:

Chairman Musselman made the motion to approve the February 26, 2008 minutes with typo corrections, seconded by Pam Wiehagen. The Planning Commission unanimously approved this motion.

OLD BUSINESS:

• **Donaldson Fruit Farm**

Mr. Dave Donaldson was present to represent the plan this month. Mr. Donaldson had some questions about the NPDES permits. Mr. Cormany explained the process to the best of his knowledge. Mr. Cormany agrees with the Storm Water Management and commented that the storm water management needs to be added to their set of plans. There should be no need for Mr. Donaldson to keep coming to the Planning Commission meetings at this time.

Chairman Musselman made the motion to recommend the Township Supervisors to approve the Donaldson Fruit Farm subdivision Plan with the following seven conditions from the March 4, 2008 Martin & Martin, Inc. letter and the following five conditions from the December 20, 2007 Martin & Martin, Inc. letter. The conditions are as follows:

March 4, 2008 Martin & Martin, Inc. Letter

1. In our previous letter we commented about the fact that the runoff from approximately 570 feet of the proposed private road would not be controlled by any type of stormwater management facility and would discharge directly to Cold Springs Road. The land on both sides of the subject road are not owned by the developer, therefore any stormwater management facilities would need to be located within the 50-foot right-of-way, restricting the designer's options considerably. Rock check dams have been added to the plan at intervals adjacent to both sides of the proposed road. The check dams would serve as a means to slow down and dissipate runoff prior to discharging from the property. We have no objections to this concept and believe it is a valid proposal

considering the property constraints and space available to construct controls within the right-of-way. We recommend that the proposal be discussed with the Board of Supervisors to ensure the check dams are acceptable to them as well.

2. A typical roadside swale detail is required on the plan for use in conjunction with the check dams discussed in the previous comment.
3. All stormwater management details provided by the engineer must be incorporated into the subdivision plan set so they can be recorded.
4. The stormwater management acknowledgement and access note will need to be signed prior to approval of the FINAL plan. (401.B.22/401.B.19)
5. A performance guarantee will be required prior to approval of the FINAL plan. (701)
6. A storm water management facilities as-built plan will be required after the site is stabilized and E&SPC controls have been removed. Content of the plan shall be pursuant to the provisions of Section 404.H.
7. Approval by the Adams County Conservation District must be confirmed prior to approval of the FINAL Plan.

December 20, 2007 Martin & Martin, Inc. Letter

1. Pennsylvania DEP planning module approval is required prior to Final Plan approval. (701.7)
2. County Conservation District approval is required. (600.6)
3. Our office continues to work with the designer to address prior stormwater management comments. (903) Additional correspondence will be issued once these issues have been resolved.
4. The owner's certification statement must be signed and notarized. (600.1.k)
5. Ownership and maintenance responsibilities should be established and documented for the private road with the Solicitor's approval. The road must also be given a name. (600.1.C, 700.10)

This was seconded by Bill Shriner. The Planning Commission unanimously approved this motion.

- **Orchard Estates, Terry Stem**

R. Lee Royer was present to represent the plan this month. The Board of Supervisors approved their request for the grade waiver at their March 4, 2008 meeting. There are only a few outstanding issues with this plan. After a brief discussion, Chairman Musselman made the motion to recommend the Township Supervisors to approve the Revised Orchard Estates Preliminary Subdivision Plan with the following five conditions from the February 4, 2008 Martin and Martin, Inc. letter and the eight conditions from the December 18, 2007 Martin and Martin, Inc. letter. The conditions are as follows:

February 4, 2008 Martin and Martin, Inc. Letter

1. As has been noted previously, the design has been revised to incorporate a private road as opposed to the previously proposed public cul-de-sac. The Township has indicated a willingness to proceed with the review of such a design based on the pending ordinance amendments (proposed SLDO 904.20.B) now awaiting a public hearing. We have reviewed the new private road proposal per these requirements and have the

following remaining comments:

A. Notes 32 should be clarified to state that unobstructed horizontal clearance throughout the length of the right-of-way will be provided as will a minimum vertical clearance of 13'-6". It is important to clarify that horizontal clearance will not be limited to 13'-6".

B. Private road grades up to 14% are permissible for short distances (up to 150') under certain circumstances. The new plan and profile shows segments in excess of the 150' maximum between a 10% and 14% grade. This designer has redesigned the profile to limit this excess to a single 200' segment. All other grades are within the 10% limitation. The applicant is requesting a waiver from the ordinance in this regard. Since the Township previously granted a similar modification for an earlier iteration of this project, our office has no objection to the granting of a similar waiver in this instance. (This waiver was granted at the March 4, 2008 Board of Supervisors meeting.)

C. A maintenance agreement must be filed for review by the Township Solicitor and all deeds for lots accessing the road must reference the agreement.

2. Our office issued comments regarding stormwater management on December 18 that remains to be addressed.

3. Pennsylvania DEP planning module approval is required prior to Final Plan approval. (701.7)

4. County Conservation District approval is required. (600.6)

5. The applicant will be required to guarantee the completion of all public improvements prior to the release of an approved Final Plan. (700.5)

December 18, 2007 Letter

1. If the watershed analysis is based on the time of concentration adjustment guidance located on Page 39 of 46 of the 12/2006 Edition of the PA Stormwater BMP Manual, then peak runoff should be calculated with the NRCS TR-55 method.

2. Soils tests consistently indicate a shallow limiting zone at 20 inches below grade and less. The proposed stormwater infiltration facilities would be constructed below the limiting zone in many instances. An adequate, 2-foot, separation between limiting zones and infiltrator bottoms is required. Infiltrator designs should be re-evaluated accordingly. (304.D)

3. The profile drawings on Sheets 5 and 7 should be reviewed for proper scale. In many cases, the scales listed do not reflect the actual vertical scale of the profiles.

4. Many of the Infiltration Bed Details shown on Sheet 5 contain incorrect dimensions and should be re-examined for consistency between linear dimensions, pipe diameters, pipe spacing, etc.

5. Our office does not recommend the use of hardwood mulch as a surface cover in bioretention areas due to the possibility of floatation.

6. Adams County Conservation District approval is required prior to approval of the FINAL Plan. (309)

7. A performance guarantee is required prior to approval of the FINAL Plan. (701)

8. As-built survey required when construction is complete and all E&SPC Controls have been removed. (404.H)

This was seconded by Pam Wiehagen. The Planning Commission unanimously approved this motion.

NEW BUSINESS:

- **Senseny/Coppola Land Addition (Scotch Trail)**

Tim Senseny was present to represent the plan this month. Mr. Senseny purchased approximately one acre of land to increase his buffer. He is not planning to build on the land at this time. He will own close to 17 acres on 3 parcels with the purchase of this land. He does not have his letter from the county, but the county will probably have some comments. Mr. Cormany noted that the lot # needs to be filled-in on the Wetland Comment area of his Preliminary/Final Subdivision Plan. Mr. Cormany also referenced a letter from Martin and Martin dated 3-7-08, that listed seven comments. Mr. Cormany asked Mr. Senseny to review the letter, make the requested changes and come back to the next Planning Commission meeting in April. No actions were required by the Planning Commission tonight.

- **Liberty Towers**

Mr. Randell Holmes from Wireless Communications Consultants, Inc., Mr. Ed Richardson from Liberty Towers and Mr. & Mrs. Harry Rood, landowners were present to represent the plan this month. Mr. Holmes and Mr. Richardson gave a presentation about the tower. They will be giving a similar presentation on April 29th, 2008 at a Conditional Use Hearing with the Board of Supervisors starting at 7:00 PM, at Fairfield Area School District Middle/High cafeteria at 4840 Fairfield Road, Fairfield, PA 17320. They presented general information about the size, location, safety, accessibility, noise, appearance, lighting and signage. The tower will be a 240' light gray galvanized steel tower, located off of French Lane. It will consist of the tower and 80' X 70' compound on a 100' x 100' section of land that will be leased from Mr. & Mrs. Harry Rood. It will have an 8' chain link fence and 20' section of access from French Lane. It would be the anchor tower of the 3 towers to be built to serve the Fairfield area. The other 2 towers would be located in the Fairfield area.

Mr. Holmes and Mr. Richardson presented a photographic rendering of the tower. This was done by putting a large balloon in the area the tower would be located and then they took photographs from 3 locations (Linda Trail, Jacks Mountain Road and 16/Jacks Mountain Road). After the photographs were taken they superimposed a tower where the balloon was to show what the tower will look like from the 3 different locations. Mr. Holmes and Mr. Richardson also had scatter plats to show the new areas of cell phone service coverage. They will be obtaining all local, state and federal permits. They presented letters from the PA Historic Society, the Federal Aviation Administration and the Commonwealth of PA Bureau of Aviation. They have also obtained an FCC #. If the tower would become obsolete, they would dismantle and remove the tower.

Mr. Holmes and Mr. Richardson opened the discussion for general questions. Chairman Musselman asked if they had contacted adjoining land owners. They spoke to Bradley French, but have not yet contacted Randy Reamer. They will be contacting Mr. Reamer in the near future. Chairman Musselman also voiced concerns of this tower attracting more towers. Mr. Holmes explained that different carriers would probably want to use this tower, but that would not require building another tower. The carriers will share this tower. Mr. Cormany would like to see them issue an affidavit stating that

they tried to use a tower that was already available and that there really is no tower in this area. Mr. Cormany also commented that he would like to see a Propagation Study, this study would contain more information than just the illustration and letter. Mr. Cormany would also like to see a Visual Analysis to show the need for a 244' high tower and why this is the minimum height needed and he also had concerns about the color of the tower not being in accordance with our ordinance. Zoning Officer Nicks commented that they would have to request a Zoning Hearing if they need a variance in color from the Township Ordinance. Mr. Holmes did not think they would request a variance, he suggested that the galvanized tower usually looks better and requires less maintenance than the colors required in the Township ordinance. Zoning Officer Nicks would also like to see something in writing from Mr. Rood giving them permission to use French Lane. Mr. Rood has a deeded right-of-way for French Lane and it is currently part of the lease agreement for the cell phone tower company to use French Lane as its access to the tower. Mr. Cormany also commented that they would have to list all permits and who requires each permit. There was a brief question and answer period with the public. No actions were required by the Planning Commission tonight.

Zoning Officer Nicks Report:

Zoning Officer Nicks is currently locating every advertising sign located within the Township. He will be taking a picture of each sign, locating the sign by using the property it's located on (map/parcel #), the size of the sign and if the sign is 1-sided or 2 sided. Mr. Nicks requested a map from Tim Cormany so each sign can be assigned a number and then placed on the map.

Zoning Officer Nicks received a telephone call from Camp Eder, requesting a Building Permit for a storage shed. Mr. Nicks thought that there were outstanding issues regarding Camp Eder to include the ballfield, RV Site and the storage shed. Camp Eder was to provide the Township with a Land Development Plan or a Master Site Plan. After some discussion, there will be no further action with Camp Eder until the Township receives a Land Development Plan or a Master Site Plan.

Zoning Officer Nicks also mentioned that the Township Well Ordinance did not include anything about capacity. Mr. Nicks recently had a 5,000 square foot house that only produced about 1 gallon of water a minute. The state requires that a 2-½ bath house must have 3 gallons of water a minute, but it does not say for how many minutes. The Township may want to change the Well Ordinance at some point to include capacity.

Zoning Officer Nicks offered to take money that is allocated in the Zoning part of the budget and use the money to purchase a better copier instead of using the money to purchase a computer for the Zoning Office.

ADJOURNMENT:

At 9:35 PM Chairman Musselman made the motion to adjourn the meeting, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

Amy Harbaugh
Recording Secretary

Curtis Musselman
Chairman