

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

Planning Commission Members Present: Chairman Curt Musselman, Vice-Chairman Stephen Jacobs, Secretary Doreen Premo, William Shriner and Pam Wiehagen.

Board of Supervisors Present: Chairman Robert Gordon and Police Coordinator Coleen Reamer. Vice-Chairman James Grinder, Dale Premo and James Benner had other commitments.

Others Present: Zoning Officer Milton Nicks, Tim Cormany from Martin and Martin, Inc., Barbara Nicks, Township Auditor, and Amy Harbaugh, Recorder.

Public Present: Harry Rood, Jesse Myers, Pastor Bob Costello (Liberty Worship), Engineer Bob Sharrah, Project Manager Darren Tuitt and Atty. Chuck Zwally (Fairfield Market), Atty. Dwight Yoder and Ginger French (Fairfield Market comments).

Chairman Musselman called the meeting to order at 7:35 PM.

AGENDA APPROVAL: No changes.

PUBLIC COMMENT: Atty. Dwight Yoder asked if he should hold his questions until the plan he had questions on is reviewed, or should he ask at this time. Chairman Musselman stated that he should hold his questions/comments until the plan is reviewed.

APPROVAL OF MINUTES:

Mrs. Wiehagen made the motion to approve the August 26, 2008 minutes with typo corrections, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

OLD BUSINESS:

- **Liberty Worship Center:** Pastor Bob Costello was present to represent the plan this month. Pastor Costello commented that their engineer, Bill Green, wanted him to discuss where trees for screening need to be planted. Pastor Costello also commented that they are continuing to work on the wetland issues. There was a lengthy discussion about the most appropriate place and type of screening for this project. Township Engineer Tim Cormany of Martin and Martin, Inc. indicated that the current requirement is two rows of staggered trees, and that might require a slight shifting of the planned church location to allow room for this screening between the church and the shared driveway with the Township. The plan for the screening should also consider land boundaries, building and parking lot placement, sight safety, type of soil, what type of trees would grow there, any interference with stormwater/wetland management areas, and what type of activities (possibly a ballfield) that the church may build at some point. Tim

Cormany suggested that the township should make a recommendation to Liberty Worship Center, so they can look at it and come back with some ideas.

Chairman Musselman made a motion to recommend that a vegetative buffer be included on the plans on the church property's boundary with the township-shared driveway on Mr. Clem's side of the property as well as along other connecting properties on Carroll's Tract Road to screen those homes from the church property, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

The Planning Commission also discussed the possibility of including sidewalks in the landscaping plan for Liberty Worship Center. Tim Cormany stated that the current ordinance only requires sidewalks within a residential development. Secretary Premo stated that if the township puts in a park and includes sidewalks along its perimeter, it would be good for the church to have connecting sidewalks, as the township was considering requiring all properties in that area to have sidewalks in the future. Mr. Cormany suggested an easement or right-of-way be included along Carroll's Tract Road. Pastor Costello stated that they will work with the township and could come back with a proposal. Pastor Costello also had a question concerning the driveway and Mr. Cormany suggested that he talk to Solicitor Battersby.

Per Pastor Costello's request, Vice-Chairman Stephen Jacobs made a motion to recommend a 90 day extension by the BOS of the Liberty Worship Center plans, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

- **Old Orchard Farm:** There was no one present to represent the plan this month. A letter dated 8-27-08 from the Pennsylvania DEP disapproved the Old Orchard Farm Planning Module, and there was some discussion about the letter. Tim Cormany stated that the plan will have to be completely resubmitted because of the disapproval. This was a Preliminary Plan, not a Final Plan. There was no action required by the Planning Commission tonight.
- **Empire Homes:** There was no one present to represent the plan this month, however, the Township has received a revised phasing schedule from this group. There was no action required by the Planning Commission tonight.
- **Orchard Estates-Mt. Hope Road:** There was no one present to represent the plan this month. There was no action required by the Planning Commission tonight.

- **Fairfield Market:** The following people were present to represent the Fairfield Market plan: Engineer Bob Sharrah, Project Manager Darren Tuitt and Atty. Chuck Zwally. Atty. Zwally stated that Fairfield Market is continuing to work on sewer and water issues with the Fairfield Municipal Authority and Pennsylvania DEP. Atty. Zwally is asking for Preliminary Plan approval with the stipulation that they will have the necessary water and sewer capacity by Spring. Atty. Zwally commented that they had not received a copy of the Township's traffic study. BOS Chairman Gordon stated that it is in the mail, and the Township would give Fairfield Market a copy of the traffic study upon arrival. Secretary Premo stated that the Planning Commission will have to take action on the Preliminary Plan at tonight's meeting. According to the SALDO regulations, the Planning Commission has 62 days to take action on a plan, and the next Planning Commission meeting is scheduled on day 63. The Board of Supervisors have 90 days (from the first day submitted to the PC) to take action on a plan. There was a discussion concerning the sewer capacity and possible solutions. Tim Cormany commented that on other plans that contained areas that would not perc, the Township did not allow proposed houses on those plans to be built. Atty. Zwally commented that they could not proceed anyway without Pennsylvania DEP's approval of the 537 Plan.

Dwight Yoder, an attorney for Ginger French, submitted that he had some concerns related to the Fairfield Market plans. He represents Ginger French who lives at 7 Sunfish Trail, a property about ½ to ¾ of a mile from the Fairfield Market proposal. Atty. Yoder handed out a letter detailing their concerns. There is a SALDO requirement for a 40 foot buffer between a commercial zoning district and a residential zoning district. When he reviewed the plans, it appeared that the buffer zone was located as an easement on an adjoining property, not as an additional area as required. Stormwater management areas took up most of that part of Fairfield Market's property and pushed the buffer onto an adjoining property. They are also concerned about the accuracy of the traffic study and the sewer capacity.

Mrs. Wiehagen made the motion to advise the Board of Supervisors to recommend disapproval of the plan because of sewer capacity issues, the developer agreement not being signed, and the lack of a complete traffic study, seconded by Secretary Premo. The Planning Commission unanimously approved this motion. The decision will be forwarded to the Board.

Bob Sharrah stated that he did take a copy of their traffic impact study to the County Planning Department per BOS Chairman Gordon's request.

NEW BUSINESS: None

OTHER:

- **Engineer's Report:** Tim Cormany from Martin and Martin, Inc. is working with the Supervisors on plans for the new township complex. He

will have a packet to give to the Supervisors on October 1, and then they can begin to look for money to fund the project.

- **Zoning Officer's Report:** Zoning Officer Nicks discussed a situation on the Strausbaugh property on Mt. Hope Road. Mr. Strausbaugh would like to tear down the house on the property and replace it with a modular home. There is also a trailer on the property where his mother lives. His mother has a life estate on the property, and Mr. Strausbaugh will inherit the property upon her death with the trailer being removed at that time. The results of a discussion about this situation determined that if he does not exceed the 20% increase in size and other current zoning requirements, and if he meets the sewer requirements, then the township should work with him to find the best solution to install the modular home. Zoning Officer Nicks commented that otherwise, things continue to be slow.
- Chairman Musselman stated that the Township had received a letter dated 8-17-08 denying the Highway Occupancy Permit Application for Paul and Ann Nash/Welch-Noye.
- Chairman Musselman mentioned a Stormwater Workshop and a National Trust Preservation Meeting that are scheduled in the near future. The Planning Commission members have information on the meetings.
- The date of the next Planning Commission meeting is October 28, 2008 at 7:30 P.M.

PUBLIC COMMENT: Police Coordinator Reamer asked how many days the Planning Commission has to get the letter of denial to Fairfield Market. Secretary Premo stated that the denial must be listed on three (3) copies of the Plat to be given to the Board of Supervisors. The actual letter would be sent from the Board of Supervisors.

ADJOURN: At 8:55 PM Vice-Chairman Jacobs made a motion to adjourn the meeting, seconded by Chairman Musselman. The Planning Commission unanimously approved this motion.

Respectfully submitted by Amy Harbaugh, Recorder.

Respectfully submitted by Doreen C. Premo, Secretary.
