

Hamiltonban Township Planning Commission
23 Carrolls Tract Road, Fairfield, PA 17320
Regular Meeting
October 28, 2008

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

Board of Supervisors Present: Chairman Robert Gordon, Dale Premo and James Benner.

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

Public Present: Bob Costello (Liberty Worship), Gil Clark (Old Orchard Farm), Bob Sharrah, Darren Tuitt and Chuck Zwally (Fairfield Market), Mr. Alexander and Mr. Rosenberry.

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

AGENDA APPROVAL: Chairman Musselman suggested that we move Old Orchard Farm (a.) currently under New Business to (d.) under Old Business, and Fairfield Market (d.) currently under New Business to (e.) under Old Business since we've already been working on those plans.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: Chairman Musselman made the motion to approve the September 23, 2008 minutes with one typo correction, seconded by Mrs. Wiehagen. The Planning Commission unanimously approved this motion.

OLD BUSINESS:

Liberty Worship Center: Pastor Bob Costello was present to represent the plan this month. Mr. Costello presented the new landscaping plans for Planning Commission comments and recommendations. The plan shows a double row of screening trees near the parking lot and access drive. There are also screening trees near the residential properties and future home of the softball field. There is additional information about the types of screening trees, sizes and spacing of the trees. Chairman Musselman commented that he liked the landscaping plan. Tim Cormany of Martin and Martin, Inc. commented that they seem to have addressed most of the issues of concern. He will look over the landscaping plan to be sure that they meet the specs of the township ordinance such as species, size, spacing etc.

Secretary Premo asked if they would be lighting the softball field. Mr. Costello said that they probably would in the future. Tim Cormany of Martin and Martin, Inc. told Mr. Costello that they would have to check with the township, and the lighting would have to meet the township's lighting ordinance before they could install lights. Mr. Costello would like to install a cross on the "hill" where the church will be built. There was some discussion about the cross. The Wetland Delineation Report has been sent to the Army Corp. of Engineers, but no response from the Army Corp. of Engineers has been received at this time. Secretary Premo mentioned some typos on the Title page of the current set of plans. She will send a list to Tim Cormany of Martin and Martin, Inc., and he will incorporate them into his next review letter. Chairman Musselman asked about the sidewalk issue, and Pastor Costello stated that he will continue to work with the township about the sidewalks. Tim Cormany summed up the discussion by saying the Liberty Worship Center engineers need to incorporate the landscaping into the plans, and return to the Planning Commission with an updated set of plans. No action was required by the Planning Commission tonight.

Empire Homes: This plan is now in the second year of the five year phase of post-approval by the Board. No Planning Commission action is required at this point.

Orchard Estates-Mt. Hope Road: There was no one present to represent the plan this month. The township received a letter dated 10-23-08 from R. Lee Royer & Associates requesting a 90-day extension. After a short discussion, **Chairman Musselman made a motion to recommend to the BOS to grant a 90-day extension of the Orchard Estates plans, seconded by Vice-Chairman Jacobs. The Planning Commission unanimously approved this motion.**

Old Orchard Farm: Gil Clark was present to represent the plan this month. Mr. Clark explained that there was a loss of one lot because the back-up septic system was too close to another lot's property line, so DEP would not approve the lot. Since there was no other way to adjust the lot lines at this time, the lot is now considered to be a future lot. Mr. Clark also stated that they (GOIG) has a preliminary plan approval (from the Board) with two conditions. One condition is DEP approval of the sewer planning module, and the second is resolution of the Homeowner's Association Declaration. Since DEP had returned the planning module for the adjustment of the lost lot, the revised planning module with lot corrections needs to be signed off by the township before it can be resubmitted to DEP per Tim Cormany of Martin and Martin, Inc. Mr. Clark has sent a letter to Township Solicitor Battersby concerning the Homeowner's Association. There was a discussion about the changes to lots #53 & #54 concerning the new shape and boundary lines. Secretary Premo also noted that Hamiltonban was spelled incorrectly in several places, and Page 15A #9 had a sentence that didn't make sense. She will send the corrections to Tim Cormany of Martin and Martin, Inc.

Secretary Premo made the motion to sign off and send on the Sewer Planning Module for Old Orchard Farm to DEP, seconded by Vice-Chairman Jacobs. The Planning Commission unanimously approved this motion.

The Greenway Easement Agreement was discussed briefly, but no action was required by the Planning Commission tonight. The Greenway Easement Agreement will be submitted to the Planning Commission at the next meeting, and then sent on to the Board. Mrs. Wiehagen questioned a statement on Page 1 part B about the agreement having been recorded in the Recorder of Deeds office. It was determined that it has not been recorded, and that that statement should be removed. The Homeowner's Association Declaration should also be looked over by the Planning Commission, and then passed on to the BOS with comments. Gil Clark stated that GOIG is continuing to work with Highland Township about the required language in the HOA document.

Fairfield Market: The following people were present to represent the Fairfield Market plan: Engineer Bob Sharrah, Project Manager Darren Tuitt and Atty. Chuck Zwally. Fairfield Market did receive a 30-day extension on top of the original 90-day extension from the BOS at their last meeting on October 7. (They now have until Dec. 24 for issues to be worked out or ask for another extension.)

They are here tonight to discuss the revised traffic plans and their objection letter dated 10-20-08 to the Yoder/French letter from Atty. Zwally to Atty. Yoder (Both letters are on file with the township). There was a short discussion, but no action was required by the Planning Commission concerning this letter.

The revised traffic plan was discussed next. Tim Cormany, Township Engineer, stated that a meeting attended by Bob Sharrah, Darren Tuitt, John Schick (from Rettew, Inc., Fairfield Market's Traffic Engineer), Supervisor Dale Premo, Jim Cullison (Hamiltonban Township's Traffic Engineer from TransAssociates), and Tim Cormany to discuss the traffic plans had been held on October 24. The township has not received a full set of revised plans at this time as the Fairfield Market group would like to discuss any changes recommended by the Planning Commission before revising the actual plans. Mr. Sharrah went over the proposed changes, and a lengthy discussion followed. Fairfield Market is trying to incorporate the suggestions from the township's traffic engineer, particularly option #1. This option would move Iron Springs Road to intersect with the main driveway to the existing Towne Center. The traffic light then would be positioned at the intersection of both commercial properties. If this change occurs, it will take care of most of Mr. Cullison's comments. Chairman Musselman was concerned that traffic from outparcel #4 would not be able to get in and out safely with this change. Some discussion was held about what will happen to this area and to the short section of the present Iron Springs Road that will not be needed if rerouting of Irons Springs Road occurs - who would own it, who would maintain it, etc. There was also a short discussion about abandoning this section or making this part of Irons Springs Road a one way, one lane road. The landowners along this piece of Irons Springs Road will need to be contacted about any changes to be made to Iron Springs Road. The recommended changes were based on line-of-sight safety, and the best way to keep the traffic flowing safely without creating a lot of traffic congestion. Both Hamiltonban Township's traffic engineer and the Fairfield Market traffic engineer feel that the above changes will be the safest way to direct traffic.

Sidewalks in and along the outer edge of the Fairfield Market shopping center were also discussed. A representative for the Market stated that sidewalks will not be built right away, and that they will be built by tenants as they occupy parcels. Several present remarked that crosswalks would be needed at the streetlight intersection, and also stated that these crosswalks will need to have crossing signals that conform with PennDot requirements. A JDH representative confirmed that these are already being planned. The JDH representatives were told that the plans will have to include notes/easements to show where the sidewalks will be placed. Supervisor Benner stated that he would like to see some type of sidewalk by Fairfield Road early on once the crosswalks are installed at the red light and intersection for safety reasons and so that pedestrians aren't having to walk in mud. Supervisor Premo suggested that the sidewalk could be temporary and made out of stone or mulch that could easily be dug up for construction, but would provide the necessary safety for pedestrians. Asphalt was also mentioned as a possible inexpensive material for a temporary sidewalk.

There was also discussion about the sewer issue. According to Attorney Zwally, Fairfield Municipal Authority has had three updates since their last meeting. He said Fairfield Municipal Authority has awarded three contracts for TV scoping and repair work, they apparently adopted a motion that would allow Fairfield Market first chance at any additional sewer capacity that the project would create, and they will also write a letter to the township showing the progress of the repair project. The township has not received any new letters from the Fairfield Municipal Authority at this time. There was some discussion about the repair project, and if the repairs could actually create enough sewer capacity for Fairfield Market. Attorney Zwally stated that Fairfield Municipal Authority is putting a good deal of time and money into the project, and is hoping to have the TV work completed by February.

NEW BUSINESS:

Mr. Alexander / Mr. Rosenberry (screening of properties): Zoning Officer Nicks began the discussion by explaining that Mr. Rosenberry had called him about the drainage ditch between his property and Mr. Alexander's business property. Mr. Alexander wants to cut/trim the trees screening the ditch between the properties. Mr. Alexander feels that this would make it safer to pull out from his business. Mr. Rosenberry stated that the property line was recently surveyed and he lost more of his ground. Mr. Rosenberry also questioned if Mr. Alexander was going to expand his business. Both of the properties are zoned commercial, but Mr. Rosenberry uses his property as residential. Chairman Musselman explained that the Planning Commission can't tell the property owners what to do. Tim Cormany from Martin and Martin, Inc. explained that this is more of a civil matter. Property owners can cut/trim screening on their property but not on someone else's property except what hangs over the property line. Mr. Cormany also explained that if Mr. Alexander expands his business, then he would have to follow the current buffer guidelines. They need to talk to each other and work something out. There was no further action required by the Planning Commission tonight.

Mr. Emory: Mr. Emory was not present to talk to the Planning Commission about his proposed subdivision off of Iron Springs Road.

OTHER:

Engineer's Report: Tim Cormany from Martin and Martin, Inc. didn't have anything additional to add.

Zoning Officer's Report: Zoning Officer Nicks reported that permits are slow. He sent seven letters out about junk cars. Four residents out of the seven have already cleaned up their cars. The remaining three residents have been pending since May and have until November 30. There was a discussion about several signs in the township including a complaint about a "tradesman's sign" hanging on a house/shed on the Iron Springs Road. The owner of the house is also the person who is working on the foundation. Mr. Nicks said that he does have a construction business, and that he's been working on the foundation for about six months. He felt that therefore the homeowner/tradesman is allowed to have this sign in place as he would have such a sign on someone else's home he was repairing. There was also some discussion about "sandwich signs" and "temporary signs." Zoning Officer Nicks suggested that the township get something down on paper concerning "sandwich and temporary signs." Supervisor Premo also suggested that the township should be specific about what will and will not be permitted.

The next Planning Commission meeting is November 25, 2008 at 7:30 pm.

PUBLIC COMMENT: Mr. Alexander asked if he could or could not cut/trim his trees along the ditch. The Planning Commission explained to him that they can't tell him what he can or cannot do concerning the screening, that this is a civil issue. The Commission did recommend that he should talk with Mr. Rosenberry and work something out between the two of them.

ADJOURN: At 9:06 PM Vice-Chairman Jacobs made the motion to adjourn the meeting, seconded by Secretary Premo. The Planning Commission unanimously approved this motion.

Respectfully submitted,

Amy Harbaugh, Recorder

Doreen C. Premo, Secretary, Planning Commission