

**Hamiltonban Township Planning Commission**  
23 Carrolls Tract Road, Fairfield, PA 17320  
**Regular Meeting**  
**December 30, 2008**

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

**Board of Supervisors Present:** Chairman Robert Gordon, Police Coordinator Coleen Reamer and James Benner. Vice-Chairman James Grinder, and Dale Premo 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:** Bob Costello and Bill Green (Liberty Worship), Bob Sharrah, Susan Bourgeois and Chuck Zwally (Fairfield Market), John and Marian Gladfelter, and Brian Haines (Todd Reamer subdivision).

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

**AGENDA APPROVAL:** Secretary Premo added (d.) Pat Smith under New Business. Also under New Business (a.) should read Mr. Todd Reamer not Mr. Randy Reamer.

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES:** Chairman Musselman asked for corrections or comments on the previous month's minutes. As there were none offered, Pam Wiehagen made the motion to approve the November 25, 2008 minutes, seconded by Vice-Chairman Jacobs. The Planning Commission unanimously approved this motion.

**OLD BUSINESS:**

- **Liberty Worship Center:** Bob Costello and Bill Green were present to represent the plan this month. Engineer Bill Green began by giving an update to their plan. He stated that he had given an updated set of plans to Tim Cormany of Martin and Martin, Inc. before the November Planning Commission meeting. Tim Cormany responded with several comments on a letter dated around November 4, 2008. They have filed plans with PennDot concerning the driveway entrance, and water and sewer connections. The representatives of LWC haven't received anything back from PennDot except that PennDot has received their information. The plan has received approval from the Adams County Conservation District. The Army Corps of Engineers has been contacted about the Wetland Delineation Verification, and they should arrive for an onsite inspection by the 1<sup>st</sup> or 2<sup>nd</sup> week of January. There shouldn't be any major changes to their plan unless the Army

Corps of Engineers or PennDot would require some modifications. They are considering moving the utilities out of the driveway to a side area, but they are waiting to see what PennDot recommends. They will also work toward determining a bonding amount for their project. They are working with the township supervisors concerning the shared driveway and the estimated costs for that driveway per item No. 8 in Tim Cormany's report.

Liberty Worship Center representatives will also include the Sidewalk Easement along Carroll's Tract Road on their plans as per previous discussions on that matter. Tim Cormany will research the particular width requirements for the sidewalk according to the Township Ordinances. LWC representatives will not include an actual date for constructing the sidewalk as the Township Supervisors haven't decided when they will require sidewalks to be installed in the Township.

The Township Supervisors received a letter dated December 26, 2008 from PennDot with comments on the Highway Occupancy Permit, and the Township will provide LWC with a copy. Tim Cormany commented that most everything is in place concerning the plans with just a few corrections. Chairman Musselman asked if the Planning Commission members would recommend to the Board of Supervisors a 90-day extension for LWC per December 23, 2008 request to finish the remaining requirements. The Planning Commission agreed unanimously to recommend the 90-day extension to the Board of Supervisors. No further action was required tonight.

- **Orchard Estates-Mt. Hope Road:** Extension still in place until Feb. 3, 2009. No one represented the plan this month.
- **Old Orchard Farm:** There was no one present to represent the plan this month. The Township has received a letter dated December 3, 2008 from the Adams County Office of Planning and Development and another letter dated December 26, 2008 from DEP. There have been no major changes to the plan except a couple of lot line changes per Tim Cormany who indicated that the plan is basically in a holding position at this time until they send additional information to DEP. Supervisor Benner commented that the land will be farmed for another year. No action was required tonight.
- **Fairfield Market:** The following people were present to represent the Fairfield Market plan: Engineer Bob Sharrah, Atty. Chuck Zwally, and Susan Bourgeois. Engineer Bob Sharrah presented several updates concerning the traffic plan, stormwater management, and sewer/water capacity. He presented one new sheet to plans that now indicate that Iron Springs Road will be realigned opposite the northernmost entrance to the Towne Center entrance on Fairfield Road. There will be an updated traffic study that will go out on Friday per Mr. Sharrah as PennDot had requested more traffic counts at several other intersections. Mr. Cullison (Township Traffic Consultant from TransAssociates) will wait to make comments until he receives this report. The Fairfield Market team has cleared up some issues

with Rusty Ryan (from ACCD), and also received an updated Stormwater Management Plan Review from Martin and Martin, Inc. dated December 22, 2008. The Fairfield Municipal Authority's sewer exploratory work for upgrades to the system should be completed near the end of February per Tim Cormany, and at that time they should know what repairs are needed to increase capacity. Fairfield Market will be first in line for the additional capacity. Then DEP will have to formally lift any restrictions in place by the Borough (of Fairfield). Atty. Zwally also commented that the Fairfield Municipal Authority has a 537 Plan for this project pending with DEP. The DEP deadline was December 31, 2008, but the Fairfield Municipal Authority has asked for an extension. The extension was granted until April 1, 2009. Atty Zwally is hopeful the Board will take action at their next meeting (Feb. 3, 2009) and grant preliminary plan approval subject to approval by DEP of the 537 plan and PennDot HOP approval. (No comment from the Township.)

Mr. Cormany mentioned the December 22, 2008 stormwater report provided by Mr. Bill Kick (of Martin and Martin) concerning some notes adjusted on the plan or a map being revised. There was some discussion about storage of excess soil from the grading. The Fairfield Market traffic engineer felt if they created a shorter storage lane for left turns, they could move the grading materials there, off the Smith property, thus removing the need for an easement from the Smiths. They already have an easement for the Mae Woerner tract for grading in that area (see comment #5 on the Martin and Martin letter dated December 22, 2008).

Additional comments were made on the revised road plan mentioning the section of Iron Springs Rd. that will be vacated pending neighbor agreement and PennDot approval, and that one of the accesses will not have a left turn out.

Tim Cormany discussed several points concerning the Township SALDO Section 908 Environmental Planning and Design Standards that have been made universal for all plans. He would like to see a notation on the plans concerning sidewalk easements along with the interim solution to the sidewalks until a permanent solution will be created when lots #2, 3 and 4 are developed. Mr. Sharrah indicated the sidewalk would be located in front of the property and would connect to the crosswalks for Fairfield Road. Mr. Cormany would like to see a notation on the plan showing how all the improvements would happen. He would also like a notation stating that the topsoil will be used onsite if possible, and that they will take away only what can't be used onsite. There will be an agreement between the owner and developer stating that they will use what they can onsite and move the rest. Mr. Cormany would like to see notations on the plans for the Highway Occupancy Permit from PennDot including specifically what improvements will be made such as the driveways, widening of the State highway, and sewer and water crossings. The buffer yard for lot #6 should be shown on the plans as vegetation or a fence (Section 315 of the Ordinances) for future developers. It also should be clearly noted on the plans if the outparcels will have access from Iron Springs Road as they are restricted from using the

(State) highway. Engineer Bob Sharrah stated that PennDot will have the developer sign an Access Covenant concerning road access to the outparcels. The building setback lines for lots 1 and 4 need to be shown on the plans.

Supervisor Benner asked if the Township should request a sidewalk from the Fairfield Market property to Delaney Trail to Township Line (south of project). There was a short discussion determining that this could not be required as this area is off-premises. Supervisor Chairman Gordon asked about a sidewalk along Iron Springs Road. Mr. Sharrah stated that there is nothing on the plans at this time concerning sidewalks in those areas. There may be ability to add sidewalks if other properties in the area become developed. There were no further comments. No action was required tonight.

#### **NEW BUSINESS:**

- **Mr. Todd Reamer Preliminary/Final lot addition/subdivision:** Mr. Reamer was not present to represent the plan. However, adjoining landowners Marian Gladfelter and Brian Haines were present. Tim Cormany started the discussion by saying that Mr. Reamer already owns two building lots, and, that after the subdivision, there would still only be two lots that would be shaped differently. Mr. Reamer would like to reconfigure the lots, not create any additional lots, for the purpose of having a perc on each lot. The septic systems on the lots would require approval by DEP. Mr. Reamer would like the plan to be considered as “Preliminary/Final” as noted on the Martin and Martin letter dated December 19, 2008. The usual notations would be needed on the plan, and other requirements to be noted on the plan are in the M & M letter. Tim Cormany noted that one of the biggest concerns was access to the properties. The legal access to Lot #2 is Haines Lane (a private right-of-way) off Cold Springs Road. However, there is a 20 foot section that takes a 90 degree turn and hits Mr. Reamer’s lot 2. The right-of-way to the other lot needs to be extended to give the lot full frontage, and the Township needs to identify the type of right-of-way. Mr. Reamer will need to make improvements to the logging road that forms the new extension so that it matches the other part of Haines Lane. He will need to present a road maintenance agreement for review by the Township Solicitor, Mr. Matthew Battersby. At this point Tim Cormany would not recommend requiring Mr. Reamer to completely reconstruct Haines Lane unless additional building lots would be requested, but some improvements are necessary as there is no road base on the extension. The Martin and Martin, Inc. letter dated December 19, 2008 was sent to the surveyor, Mr. Riley Redding.

Mrs. Gladfelter, and her spokesman, commented that they have a right-of-way through Mr. Reamer’s property to get to their hunting cabin since 1960 and that her husband had gone to court about this, and Mr. Haines also uses Haines Lane to get to his property. Mr. Cormany stated that the surveyor will do research on the rights-of way. There was a lengthy discussion about the right-of-ways through Mr. Reamer’s property as to placement, pull-offs, width of roadway and entrance

to Haines Lane, the number of percs required on a building lot, and if a backup sewer plan would be required for each building lot. Mr. Cormany stated that a backup sewer is required and that Gil Picarelli, Sewage Enforcement Officer, would be able to give Mr. Haines the information about the perc requirements. It was noted that Mr. Reamer could deed himself an easement on the lot with the two percs, and put his sewer for both properties on the one lot. If Mr. Reamer were to do this, he would not have to go through a subdivision plan review. DEP would have to approve the sewer systems, and this agency would not approve them without backup controls and proof of easements on the deeds. Supervisor Benner also asked about the right-of-way going to Luann Dille's building and the setback requirements for any new road widening there. Mr. Cormany will check with the surveyor about the adjoining properties and where their legal right-of-ways are on the property.

Zoning Officer Milton Nicks had a question concerning the issuing of a building permit as he said right now he only considers one lot as buildable. He said if more than two properties were going to be built on and connect to a private road, then in light of the Township requirements for private roads, new issues come in. Chairman Musselman stated that Mr. Nicks and Mr. Cormany need to have a discussion on this topic. BOS Chairman Gordon stated that the Township thought that this issue had been solved by the new Ordinances, but it's obvious that there is a problem that needs to be worked out. We need to be sure emergency trucks can access any new private roads, but that also people have access to their land. Mr. Gordon stated that the Gladfelter right-of-way needs to be included on the plan.

Mr. Cormany suggested that Mr. Reamer also prepare a Stormwater Management Plan and show building lots. Tim Cormany also suggested that Mr. and Mrs. Gladfelter call the Township prior to the next meeting to find out if there will be anything on the agenda about this subdivision. There was no action required by the Planning Commission tonight.

- **SWOT Forms:** They need to be filled out and returned to Chairman Gordon for the South West Adams Joint Comprehensive Plan Steering Committee.
- **2009 Calendar Amendment:** Approved the December 2009 meeting to be held a week later on December 29, 2009 due to Christmas.
- **Pat Smith:** Pat Smith was not present. Secretary Premo said that Mrs. Smith left a message stating that the Fairfield Municipal Authority would like to have a letter from the Hamiltonban Township Planning Commission stating if the township would be impacted if the sewer plant were enlarged, and if the expansion would be in compliance with the Township's Comprehensive Plan. (FMA is seeking grant money for repairs and expansion and needs this letter as part of the grant process.) Secretary Premo will write the letter.

**OTHER:**

- **Engineer's Report:** Tim Cormany from Martin and Martin, Inc. announced that there would be an Open House for the purpose of public viewing of the plans and comments on the new proposed maintenance building for the Township at the Fairfield Firehouse on Monday, January 12, 2009 from 5:00-8:00 pm.
- **Zoning Officer's Report:** Zoning Officer Nicks received a phone call from Strawberry Hill Preserve about creating a mobile classroom. Zoning Officer Nicks told Strawberry Hill that they would have to bring their idea before the Planning Commission. The cellphone company, [Liberty Towers](#), also called him about expanding coverage of cell service with additional towers. They are beginning to look for other sites within the township. Zoning Officer Nicks handed out a packet [developed by an ad hoc committee consisting of Supervisor Dale Premo, Zoning Officer Milton Nicks and Planning Commission member Pam Wiehagen](#) with the Township's revised sign ordinance for the Planning Commission to study and make a recommendation [for or against adoption by](#) the Board of Supervisors.
- The next Planning Commission meeting is January 27, 2009 at 7:30 pm.

**PUBLIC COMMENT:** (This is Chairman Curt Musselman's last meeting on the Planning Commission as he decided not to seek reappointment after ten years of service.) Chairman Musselman stated that he wanted to make several closing comments. He said he had volunteered to contribute something, and that he had learned a great deal while serving on the Planning Commission. He remarked how the attendance of Supervisors had grown from only Eddie Deardorff to three Supervisors or more. He enjoyed working with everybody, and he feels there will be good things to come for the Township. He mentioned Coleen's efforts in obtaining the Glatfelter Tree Farm #1. Chairman Musselman recommended that the Township continue to ask for the designs it wants instead of settling for a basic design as the Township continues to be developed. Supervisor Chairman Gordon presented a letter and certificate from the Board of Supervisors with heartfelt thanks and appreciation for Chairman Musselman's many years of service. Police Coordinator Coleen Reamer said he was a wonderful addition to the Planning Commission and a great chairman.

**ADJOURN:** At 9:12 PM, Pam Wiehagen made the motion to adjourn the meeting, seconded by Secretary Premo. The Planning Commission unanimously approved this motion.

Respectfully prepared by Amy Harbaugh, Recorder.

Respectfully submitted by Doreen C. Premo, Secretary.