

Hamiltonban Township Planning Commission

23 Carrolls Tract Road, Fairfield, PA 17320

**Regular Meeting
October 27, 2009**

Planning Commission Members Present: Chairman Pamela Wiehagen, Vice Chairman Stephen Jacobs, Secretary Doreen Premo, William Shriner and Rusty Ryan.

Board of Supervisors Present: Chairman Robert Gordon, Police Coordinator Coleen Reamer.

Staff/Others Present: Mr. Timothy Cormany, Township Engineer/Planner.

Public Present: representing the Fairfield Municipal Authority Land development plan).

At 7:30 PM Chairman Wiehagen called the meeting to order.

Public Comment: None.

Agenda Approval: Chairman Wiehagen asked for additions or corrections to the agenda. There being none, she asked for a motion to approve the Agenda. Steve Jacobs so moved, Rusty Ryan seconded, and the motion carried unanimously.

Approval of Minutes: Chairman Wiehagen asked for additions or corrections to the minutes from September 22, 2009. There being none, the chairman motioned to approve the minutes. Steve Jacobs seconded, and the motion carried unanimously.

Public Comment: None.

Old Business:

Township Facilities Plan

The Board of Supervisors submitted a letter on October 7, 2009 requesting a second 90-day extension of the review period. Chairman Wiehagen stated that at that time (October 7), the Township was waiting for Adams County Conservation District (ACCD) approval of the Erosion and Sediment Control Plan, and Fairfield Municipal Authority has been expecting a report from DEP due sometime in early to mid-November for approval to do plant repairs. The Erosion and Sediment Control Plan has since been deemed adequate, and the Township Municipal Facilities Plan has been issued an NPDES Permit # PAG2-0001-09-010.

Tim Cormany supplied an update to the reason for the requested extension. Fairfield Municipal Authority (FMA) has been waiting to receive approval from DEP for its corrective action plan before giving its approval to the Township's Sewer Module Plan. DEP has now approved FMA's corrective action plan. Tim Cormany stated that DEP has approved the Municipal Authority to proceed with upgrading the plant. He said that FMA now has four (4) EDUs that they can offer people, and one of them could be for the Township if it is willing to pay the connection fee to reserve that in advance. Once FMA receives the check, FMA can proceed with the approval of their portion of the Township Facilities Sewer Module Plan. FMA will then sign off on our module and return it to us. The sewer module then needs to be signed by Township officials and sent to DEP for approval of Township module. **Chairman Wiehagen asked for a motion to recommend the Supervisors grant a 90-day extension to the Township Facilities Plan. Vice chairman Steve Jacobs made the motion to recommend the extension, and Rusty Ryan seconded. The motion passed unanimously.**

Patrick Murray Subdivision Plan

Pam Wiehagen questioned the use of Franklin Township on the plan instead of Hamiltonban. Tim Cormany advised Mr. Murray that he would need to submit a request in writing for his plan to be considered as a Preliminary/Final Subdivision Plan. Mr. Cormany reviewed the Engineer's Report (full report of 11 items in the Murray file) listing such comments as the owners' certification statement must be signed, dated and notarized, an erosion and sedimentation control plan should be included with the application, the contour labels are illegible, the zoning boundary lines need to be defined, the cartway and right-of-way widths for Fairfield Road need to be indicated and the right-of-way should be labeled, the Highway Occupancy Permit note doesn't match Township ordinance language, the driveway needs to be shown, the agricultural nuisance disclaimer doesn't match Township ordinance language, the existing use of the adjacent properties needs to be shown, there needs to be a listing of any required reviews, approvals and/or permits on the first page, building setbacks need to be labeled and dimensioned on the plan, the wetlands three criteria need to be added on the plan, and other similar comments were discussed. Tim asked if we had received the county comments (ACOPD). I (Secretary) replied that I just received them tonight in my mailbox, so we haven't had time to review this report. (This was photocopied for all members to take home for review.)

The "clock" starts tonight, so we have 62 days to decide on our final recommendation to the Supervisors. Mr. Murray provided us with a written request to consider his plan as a preliminary/final subdivision plan.

Chairman Wiehagen motioned that the Planning Commission recommend to the Board of Supervisors that the Murray Plan be accepted as a Preliminary/Final

Subdivision Plan. Steve Jacobs seconded the motion, and the motion passed unanimously.

Tim Cormany asked if we had received the three sewer modules. We had, so Mr. Murray signed his part, and I (Secretary) signed for the Planning Commission. We discussed that the Board would need to pass a Resolution for the sewer module, the Township Secretary/Treasurer would need to sign the module, and then send the modules to DEP. **Steve Jacobs motioned to send the signed sewer modules on to the Board, and Bill Shriner seconded the motion. The motion passed unanimously.**

Record Keeping Forms for Planning Commission Files, E&S Language Changes, and **Conservation By Design Ordinance Workshop** discussions were moved to **New Business** to allow Mr. Dan Sanders's plan to be heard earlier.

Dan Sanders Land Development Plan – Sketch Plan

Chairman Wiehagen decided to address the Dan Sanders plan at this time. Mr. Richard Sanders, his brother, is present to represent this plan. Dan Sanders wants to build a single family house on his property but without subdividing the lot as he had previously wanted. (The original plan back in 2007 to subdivide would not allow for proper depth at the back of the property for a new house. He had applied to the Zoning Hearing Board for a variance to subdivide, but this request was denied. –The ZHB file is in the Zoning Office.) Tim Cormany advised that plan approval is still required before a building permit can be issued. There was discussion on the private road access and the water and sewer accommodations. The Municipal Authority will sign off on the sewer connection. There needs to be a comment on the plan that the house and restaurant will be sold as one and that the only way this could be subdivided would be if the Township zoning regulations were changed. He will need to have a plan drawn up without the dividing line as in the original plan and submit that plan 21 days before the next Planning Commission on November 24. Therefore, the formal plan needs to be in the office by November 3 so that the plan is available for Planning Commission members or Supervisors to study before the next meeting.

Township Engineer/Planner's Report: Mr. Tim Cormany from M&M: Former Supervisor Eddie Deardorff visited him and may be in to the Planning Commission next month with a plan. We discussed that he may need to do a master plan at this time as a developer can only do so many lots in so many years. (The SALDO limit is five (5) houses in five (5) years.) Tim said Eddie has stretched the homes out over the years so this may not be an issue. Mr. Deardorff also asked about Clean and Green requirements.

The shared Church/Township driveway problem of being flooded was mentioned.

New Business:

Dan Sanders Land Development Plan Sketch Plan – This plan was moved to Old Business.

Record Keeping Forms for Planning Commission Files – moved here from Old Business. This is being tabled until the Secretary finishes the rough draft.

E&S Language Changes – moved here from Old Business.

Rusty is still working on his project of E&S language. He is waiting for feedback from Barry Newman on the stormwater issues as affect a subdivision that will be built on needing a building permit as opposed to one that may not be built on for a while. He feels that when the subdivision is over 5 lots, the stormwater plan should be done. He feels that if someone is selling an unimproved lot the seller has no idea what the new owner will build, so there should be a difference in when stormwater is required. The Secretary requested that he let her know when he wanted to be placed on the agenda again.

Conservation By Design Ordinance Workshop – moved here from Old Business.

We discussed holding a workshop to work on changes to the Conservation By Design Ordinance – Chairman Wiehagen and Secretary Premo will work on this together to present at a later date for Planning Commission members to discuss and vote on.

Public Comment: None.

Adjourn: The meeting was adjourned at 8:30 PM upon motion by Vice Chairman Stephen Jacobs, seconded by Chairman Pamela Wiehagen, and unanimously approved.

Doreen C. Premo, Planning Commission Secretary