

Hamiltonban Township Planning Commission

23 Carrolls Tract Road, Fairfield, PA 17320

Regular Meeting

November 24, 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: Mr. Leen and Mr. Christopher Kraft representing the Fairfield Municipal Authority Land Development Upgrades Plan, and Mr. Douglas Woerner.

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

Public Comment: None.

Agenda Approval: Chairman Wiehagen asked for agenda additions or corrections. There being none, she moved on to a review of the previous month's minutes.

Approval of Minutes: Chairman Wiehagen asked for additions or corrections to the minutes from October 27, 2009. There being none, the chairman called for a motion to approve the minutes. Rusty Ryan motioned to accept the minutes and Vice Chairman Steve Jacobs seconded. The motion carried unanimously.

Public Comment: None.

Old Business:

Township Facilities Plan

The Township has paid Fairfield Municipal Authority (FMA) to reserve one (1) EDU for the future Township Facilities. The NPDES Permit has been issued to the Township from the Conservation District. Tim Cormany stated that the plan was ready to be classified as a Preliminary/Final Plan. **Chairman Wiehagen motioned to recommend the Supervisors grant Preliminary/Final status to the Township Facilities Land Development Plan. Rusty Ryan seconded, and the motion passed unanimously.**

Fairfield Municipal Authority Expansion (Upgrade) Land Development Plan

Mr. Leen detailed some historical information about previous plans for improvement to the sewer facilities. He said they have received a new NPDES Permit. Also, Governor (Rendell) recently approved some funds from the Commonwealth Financing Authority for upgrades to sewer plants. After application to the CFA, FMA received over 30 million dollars, so now they want to go ahead early next year to not lose the funding. This is the reason they are requesting the waivers.

Mr. Leen next reviewed the plans with the Commission. He indicated that they will do demolition of some existing structures and will build new but improved structures in their place. Chairman Wiehagen mentioned the six requested waivers. Mr. Leen explained that there are physical restraints due to location of the current facility. There was discussion about the waivers as to the effect on stormwater management and the floodplain management ordinance as the plant sits in a floodplain. As this has always been the location of the plant, it predates all ordinances. As nothing is outlined in the ordinance, they are looking for guidance from other agencies. Mr. Cormany said his firm has no problem with granting Preliminary/Final status to the plan or granting a waiver from ACCD review. However, he felt because of the location and no real hardship, and everyone else has to go through stormwater and floodplain management reviews, that FMA should also be subject to this review. Mr. Leen said they wanted to save the rate payers some money, and that they could possibly lose the grant money if the plan takes too long to be approved, so they are asking for certain waivers. Mr. Ryan said they can do something about the soil. Chairman Wiehagen brought up the fact that we're talking about a sewer plant near a creek. As there is no new impervious surface going in, Bill Kick (of Martin & Martin) has no problem with the waivers. The only waiver at issue with M & M is the ACCD one. Mr. Cormany mentioned that Empire Homes did a lot of research into floodplain issues as their subdivision was on some of this land, so perhaps we could review their findings. From a plan review angle, the treatment plan has been there many years and is grandfathered, but M & M feels that the changes should go through a conditional use hearing. Mr. Ryan said the use is not changing, but Mr. Cormany said the footprint is changing and the ordinances require consistency so they should be treated like anyone else. Mr. Cormany thinks the criteria of the zoning ordinance sets forth a requirement for conditional use, so FMA should provide a presentation on that. The Planning Commission should not consider this a complete application or that the clock starts until this is taken care of. This wouldn't happen until after FMA contacts Mr. Slothour, the Zoning Officer, and goes through a Zoning Hearing. Tim said the Conditional Use Hearing could go through the BOS in a regular meeting or a special meeting could be called. The Conditional Use application must be in within the next week. Mr. Leen was worried about the timing as far as the grant is concerned as 30 days notice is needed for advertising a hearing. Mr. Cormany said we need to know what FMA has done about environmental concerns in a short letter as to how they are addressing the floodplain. This needs the

standard agricultural statement and it needs to go to fire company for their review. Secretary Premo stated that she had delivered it already. Rusty reminded them to keep it under an acre and the ACCD wouldn't need to review it.

Patrick & Tracy Murray Subdivision Plan

This plan qualifies as an exception per DEP, so Mr. Picarelli, the SEO, was authorized to issue a permit. No one was present to represent the plan this evening, and there has been no response to the e-mails sent by Secretary Premo to Mr. Robert Sharrah, the plan's engineer, requesting corrections to the plan. Mr. Cormany asked for a copy of the e-mails and said he would call Mr. Sharrah as the plan is now on the clock. We discussed the deficiencies of the current version of the plan. We received county comments last month, and the reviewer, Mr. Schmoyer assumed the access will be the driveway for the former ballfield. He also thinks it's a commercial prop, but our zoning map colors for commercial and R-2 are very close in hue, so it's hard to distinguish. Tim said the machine used to print maps makes a difference in the appearance of colors. The main issues are the driveway is not shown as connecting to the house, and as they are presenting the plan with a house shown, they should have a stormwater management plan in place now. There also should be a topsoil note on the plan. As of tonight, no revised plans have been received, so we are not ready to pass on these plans. Next month's meeting will be 60 days out of the 62 allowed for review, so there needs to be some action from the Murrays.

Dan Sanders Land Development Plan – Sketch Plan

No one was present to represent the plan this month.

Township Engineer/Planner's Report: Mr. Tim Cormany from M&M spoke throughout the meeting and thus had no formal report this evening.

New 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.

Mr. Rusty Ryan asked if there were any decisions from the Board about the topic. Supervisor Coleen Reamer said she felt we haven't discussed this enough yet with the Planning Commission, the Board, the attorney, etc., and until it is studied further and a decision made, we shouldn't make any exceptions.

Mr. Ryan has had feedback from Barry Newman on the stormwater issues as they affect a subdivision that will be built on in the near future and needing a building permit as opposed to one that may not be built on for a while. Mr. Newman said 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. Secretary Premo requested that Mr. Ryan let her know when he wanted to be placed on the agenda again.

Public Comment: None.

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

Mr. Ryan borrowed an FMA plan packet.

Doreen C. Premo, Planning Commission Secretary