

Hamiltonban Township Planning Commission

23 Carrolls Tract Road, Fairfield, PA 17320

Reorganization/Regular Meeting

January 26, 2010

Planning Commission Members Present: Vice Chairman Stephen Jacobs, Secretary Doreen Premo, William Shriner, Rusty Ryan, and new member, Michael (Mike) Pastovic.

Board of Supervisors Present: Robert Gordon, Coleen Reamer, and Harry Rood.

Staff/Others Present: Rob Thaeler, Township Planning Consultant from ACOPE; Jason Reichard, from CS Davidson, Inc., Township Engineer.

Public Present: None.

Call to Order: At 7:00 PM Secretary Premo called the meeting to order, and stated that this is a reorganization meeting.

Reorganization: Secretary Premo opened the floor for nominations for Chairman of the Commission, and nominated Russell (Rusty) Ryan for the position. Steve Jacobs seconded the nomination. There being no other nominations, the members voted unanimously for Rusty. Secretary Premo then turned the conduct of the meeting over to Chairman Rusty Ryan. The members next selected a Vice Chairman, with Bill Shriner nominating Steve Jacobs, and Rusty Ryan seconding the nomination. The members voted unanimously to retain Steve Jacobs in that position. Chairman Ryan next asked Secretary Premo if she were willing to remain in the secretarial position. Upon an affirmative answer, the members then unanimously voted on retaining Doreen Premo as the Secretary. Chairman Ryan stated that there might be times when he would need to abstain from voting due to his position with the Adams County Conservation District Office.

Chairman's Comments: Chairman Ryan welcomed new member Michael Pastovic to the Planning Commission, and introductions were made of the new Township Planner, Mr. Rob Thaeler, and the new Township Engineer, Mr. Jason Reichard.

Public Comment: None.

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

Approval of Minutes: Chairman Ryan asked for additions or corrections to the minutes from December 29, 2009. There was one correction to be made. Chairman Ryan then called for a motion to approve the minutes conditioned upon the correction being made. **Vice Chairman Jacobs motioned to accept the minutes with correction, and Bill Shriner seconded. The motion carried unanimously.**

Public Comment: None.

Old Business: Old Plans:

Patrick & Tracy Murray Subdivision Plan. No one was present to represent this plan tonight. They have not submitted the revised plan, yet. Discussion was held on the need for a stormwater management plan. The Murray plan was contrasted to the Strausbaugh plan, in that, that plan did not need stormwater plan as they weren't building anything. This plan is extended until Feb. 24, 2010, one day after the next Planning Commission meeting. As the necessary reports for approving the plan are still outstanding, and the members would not be able to make an informed recommendation, it was decided that an extension would be needed for PC review. DEP has sent a letter that this plan is an exemption and permits may be issued. This plan may need to be recommended for denial to the Board at their next meeting if we do not receive anything further. Chairman Ryan called for a motion. **Secretary Premo motioned that the Township Secretary, Deborah Feiler, send a letter to the Murrays informing them that the Planning Commission would be unable to complete the review of their plan by the February 23 meeting, and to ask them if they would consider requesting an extension of review time for a minimum of 30 days subject to approval by the Board of Supervisors. Chairman Ryan seconded the motion. The motion carried unanimously.**

Dan Sanders Land Development Plan. No one was present to represent this plan tonight. There was extensive discussion on this plan as Rob Thaeler, Township Planner and Jason Reichard, Township Engineer had not been present for previous discussions. This plan needs a stormwater management plan. The bulk of the discussion centered around the shared lane Mr. Sanders proposes to use that crosses over seven Carroll Valley (Charnita) properties. The plan as presented by Dan Sanders has been determined to be derived from an accurate survey, while the Charnita survey is not accurate. It was determined that the burden of proof for shared access lies with the applicant. Therefore, the supervisors would like to have a letter from the Township Solicitor, Matthew Battersby, that protects the township from any possible legal action occurring from a recommendation of approval to this plan. Thus, Chairman Ryan requested a motion to prepare said letter. **Secretary Premo motioned that the Township Secretary, Deborah Feiler, prepare a letter to the**

Township Solicitor, Matthew Battersby, requesting a letter be sent to the Township with his assurance that the Township would be held harmless and suffer no liability as a result of the approval of this plan. The motion was seconded by Vice Chairman Jacobs. The motion carried unanimously.

There was some discussion on whether to require him to connect to the Carroll Valley Municipal Authority sewer lines or allow him to have onsite septic and well. It was decided that as he is at a significant distance from the lines, the cost of connecting would be a hardship, and the lines to his home would have to cross a property on Blue Gill Lane, and he probably wouldn't receive access from that homeowner. Therefore, he will be allowed to install his own system. Chairman Ryan requested a motion to prepare a letter to Mr. Sanders requesting a waiver of the SALDO requirements 2 and 3 in Section 905. **Secretary Premo motioned that the Township Secretary, Deborah Feiler, prepare a letter to Mr. Daniel Sanders recommending that he request from the Board of Supervisors a modification of Section 905. 2 and 905. 3 of the SALDO. The motion was seconded by Bill Shriner. The motion carried unanimously.**

The outstanding issues on this plan remain the E&S Report that probably won't be needed as disturbance is under 5,000 sq. ft., a Stormwater Management Plan, and resolving of the sewer and lane problems. We still don't have the Sewer Module Plan to send in to DEP. There are already other uses being made of this property, but as it lies in R-3 zoning, Hamiltonban Township's zoning allows for multiple uses in this area. Also, as the Township has 90 days for approval of a plan, the plan will need a recommendation from the PC to the Board of Supervisors by their March 1 meeting. Therefore, the PC will need to make a motion on this plan at the February 23rd meeting or 61st day.

Fairfield Municipal Authority Expansion (Upgrade) Land Development Plan.

This plan is close to being completed. Therefore, after discussion with our consultants, it was decided we could recommend approval of this plan with conditions and send it on to the Board of Supervisors. Therefore, **Vice Chairman Jacobs motioned to recommend approval of the Fairfield Municipal Authority Expansion (Upgrade) Land Development Plan to the Board of Supervisors with the following conditions: receipt of the Fire Company Report on the storage of chemicals, E&S Report Approval from the ACCD, Floodplain Approval from DEP, and all appropriate seals and signatures included on the plan. Mike Pastovic seconded. The motion carried unanimously.**

Township Engineer's Report: No formal report was presented at this meeting; instead, his advice and comments were given throughout the meeting.

Township Planner's Report: No formal report was presented at this meeting; however, his advice and comments were given throughout the meeting. He explained to the members why he is now present at our meetings. The reason is the Supervisors asked to be included in the county program allowing for county planner participation in township planning meetings. He will be able to help us in revising our SALDO, etc.

New Business: There was a brief discussion on outdoor wood-burning stoves, wind towers and solar farms. The zoning ordinances were mentioned in context to the foregoing items. There was continued reference to working on permit fees, Conservation by Design revisions, and other matters of concern.

Public Comment: None.

Adjourn: The meeting was adjourned at 8:27 PM upon motion by Chairman Ryan, seconded by Secretary Premo, and unanimously approved.

Doreen C. Premo, Planning Commission Secretary