

## **Hamiltonban Township Planning & Zoning Commission**

Fairfield Fire Hall, 106 Steelman St., Fairfield, PA 17320

Draft Zoning Ordinance Public Meeting Minutes

June 24, 2019

**Commission Members Present:** Chairman Russell Ryan, John Iaea, Betty Izer and David Peters were present. Stephen Jacobs was excused. There was a quorum.

**Supervisors and Staff/Consultants Present:** Supervisor Robert Gordon, Supervisor LuAnn Dille, Rob Thaeler of the Adams County Office of Planning and Development, Township Planning Consultant and Fred Heerbrandt of Wm. F. Hill & Associates, Township Engineering Consultant were present.

**Public Present:** Calvin Bream, Clifford Frost, Jeff Lane, Mary Lane, Linda Williams, Duane Williams, Gene Pecher, Pamela Weihagen (Hamiltonban Tax Collector), Chuck Christianson, Mike Pue, Betty Pue, John Brunner, and Wilbur Slothour (Hamiltonban Zoning Enforcement Officer).

**1. Call to Order:** Chairman Russell Ryan called the meeting to order at 7 PM. He announced that the meeting is being recorded for the sole purpose as a review aid in compiling the written minutes.

**2. Draft Zoning Ordinance:** Chairman Ryan said the purpose of the Public Meeting is for the Hamiltonban Township Planning Commission to present the Draft Zoning Ordinance to the public as required by Pennsylvania Municipal Planning Code. He introduced Rob Thaeler, the Township Planning Consultant, and then turned the meeting over to Rob who had prepared a Power Point presentation to accomplish the goal of the Public Meeting. Rob began with general information on zoning ordinances. He said all municipality zoning ordinances are enabled by the Pennsylvania Municipal Planning Code and generally regulate land use within the municipality and if applicable implement goals of a Joint Comprehensive Plan to which the municipality belongs. Other land properties such as size and location of buildings, dimensions of properties, intensity of use and natural and environmental issues may be regulated. Importantly, zoning ordinances may not prevent growth; they are designed to regulate it.

Rob said the current Hamiltonban Township zoning ordinance was enacted in 1993 as its first such ordinance with minor adjustments during its 26 years and one major revision in 2007 when Conservation by Design was added to some zoning districts. The township began working on a new zoning ordinance seven years ago to address legal and administrative issues, to update some zoning districts, to be more consistent with the Southwest Adams County Joint Comprehensive Plan, and to regulate new technologies not covered by the current zoning ordinance. He added that the Public Meeting being held today is a first step required by the Municipal Planning Code in order for the township to adopt the draft ordinance.

Then Rob summarized the content of the draft zoning ordinance saying there were ten zoning districts. The Open Space district is primarily public lands such as Michaux State Forest, Strawberry Hill Nature Preserve and Camp Eder restricted to very low maximum residential development density. The Land Conservation district focuses on areas of current large lot residential units and has a low development density and requires any subdivision must preserve the rural character by including open space. The Rural Residential district focuses on areas already developed as small residential neighborhoods in rural settings and establishes standards to preserve current conditions. The Agricultural Preservation district aims at preserving agricultural uses and prevent non-agricultural and for residential subdivision uses a sliding scale validated by the State Supreme Court. The Single Family district is designed to be applied to existing suburban density residential neighborhoods and requires any proposed development exceeding five units must use Conservation by Design. The

Village Mixed district is designed to be applied to areas next to Fairfield Borough to allow for a smooth transition and limits development to a maximum of five units per acre. The Village district applies primarily to Orrtanna and establishes standards to replicate Orrtanna's lot dimensions, setbacks, etc. The Mixed Corridor district is designed to be applied to a mix of residential and non-residential uses such as the PA Route 16 corridor. The Commercial district is designed to accommodate larger commercial development along major roads. And finally, the Industrial district is designed to be applied where existing industrial, manufacturing, and mining is already occurring.

Next Rob explained that the draft zoning ordinance contained overlay districts and similar provisions; specifically an airport overlay required by state law, a floodplain overlay, a provision for riparian buffer areas covering second and third order streams, and a steep slopes provision requiring that in certain areas the steepest slopes must be retained by requiring development be limited to the least steep slopes.

Rob then described the general standards, general use standards, parking and loading, sign, non-conforming use, and administrative components of the draft zoning ordinance.

Finally, Rob described the draft zoning ordinance adoption process. The Planning Commission will consider comments from this Public Meeting and possibly make recommendations of modifications of the draft zoning ordinance to the Board of Supervisors which will then hold a Public Hearing. The Municipal Planning Code requires the Board of Supervisors to decide within 90 days of the Public Hearing whether to adopt the draft zoning ordinance or not. That said, Rob turned the meeting over to Chairman Ryan who then opened the meeting to public comment.

**3. Public Comment:** Clifford Frost began by thanking the Planning Commission for its work and then read a list of six comments and a zoning map question and provided written copies of his comments and question to the Planning Commission. His comments were mostly suggestions or requests to make some specific definitions more rigorous and he questioned one area of the zoning map.

Duane Williams then seconded Clifford Frost's request for more rigorous definitions in the draft zoning ordinance.

Betty Pue asked if the draft zoning ordinance had any provisions to prevent churches from hosting immigrants for a long term. Rob Thaeler replied that the federal law titled "Religious Land Use and Institutionalized Persons Act" bars some land use regulations on religious exercise and he would have to examine the question in the context of that law.

Lastly Jeff Lane asked a question about high density development in the flood plain overlay and Rob explained that no development would be allowed in the flood plain overlay.

**4. Township Meeting Dates:** All public meetings are held at the local prevailing time of 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA unless otherwise noted. Rescheduled changes of date or time will be advertised via the *Gettysburg Times*. Cancellations will be via a notice on the office door.

- Planning Commission - June 25, 2019.
- Board of Supervisors Workshop - June 27, 2019
- Board of Supervisors - July 2, 2019
- Parks and Recreation Commission - July 9, 2019

**Adjournment:** At 8:37 PM Chairman Ryan adjourned the Public Meeting.

Respectfully submitted,

David Peters  
Hamiltonban Township Planning & Zoning Commission Secretary