

Hamiltonban Township Planning and Zoning Commission  
23 Carrolls Tract Road, Fairfield PA 17320  
Regular Monthly Meeting Minutes  
Platform Startingmeeting.com  
January 26, 2021

Chair Betty Izer called the meeting to order at 7:00 PM. She announced that the meeting is being recorded for the sole purpose as a review aid in compiling the written minutes per Resolution 2018-08.

Public comments will be held two times during the meeting at the beginning and at the end of the meeting. The public was asked to announce their name and address and to limited their comments to five minutes.

**Commission Members Present:**

Because of Covid 19, Commission members and public are able to use Platform Startmeeting.com. Members present were using Startmeeting.com: Calvin Bream, LuAnn Dille, Sherry Roger Frost, Betty Izer, Stephen Jacobs

**Supervisors and Staff/Consultants Present:** Using Startmeeting.com: Nina Garretson Hamiltonban Township Secretary/Treasurer, Supervisor Robert Gordon, Fred Heerbrandt, Township Engineer of Wm. F. Hill & Associates, and Rob Thealer of the Adams County Office of Planning and Development

**Public Present:** Using Startmeeting.com: Chad Farace of 301 Lost Limb Lane, Fairfield, PA., Clifford Frost of 301 Mount Hope Road, Fairfield, PA., Tyler Newton of All Land, LLC., Kenneth Scott of Beyond All Boundaries, Attorney Todd King of Salzman for Petrus Holdings

At 7:05 PM Betty Izer called the re-organization meeting to order.

LuAnn Dille made a motion to appoint Betty Izer as Chair of Planning Commission, seconded by Stephen Jacobs. This motion was approved.

Betty Izer made a motion to appoint Stephen Jacobs as Vice-chair of Planning Commission, seconded by LuAnn Dille. This motion was approved.

Betty Izer made a motion to appoint LuAnn Dille as Secretary of Planning Commission, seconded by Stephen Jacobs. This motion was approved.

At 7:06 PM the re-organization meeting was adjourned by a motion from LuAnn Dille, seconded by Betty Izer. This motion was approved.

At 7:07 PM the regular meeting was started.

**Agenda Review:** The Planning Commission approved the January 26, 2021 agenda by general agreement.

**Approval of the Minutes:** Chair Betty Izer made a motion to approve the December 22, 2020 Platform Startingmeeting minutes, seconded by Sherry Roger Frost. The motion was approved.

**Public Comment:** No comments.

### **1661 Cold Springs Road-Kalathas**

Kenneth Scott of Beyond All Boundaries stated that the plan was being withdrawn by the property owner as the plan needs to be re-organized. LuAnn Dille made a motion to recommend that the Hamiltonban Township Board of Supervisors allow this plan to be withdrawn pending a formal correspondence being received by the Township business office, seconded by Betty Izer. Kenneth Scott stated that he will draft the withdraw correspondence tomorrow, January 27, 2021.

### **301 Lost Limb Lane-Farace**

Chad Farace stated that the stormwater management plan and a revised plan was submitted on January 6, 2021. Fred Heerbrandt stated that a site inspection was requested by Erik Vranich and as of now no date has been established. Erik Vranich email concerning this was sent about a week and half to two weeks ago. The site inspection is to examine the percentages of the slopes of the plan to the actual slopes. The land development looks good. The combination deed has been reviewed and recorded at the Adams County Courthouse and the Township has a copy of the receipt. The only item pending is the stormwater management plan therefore this plan was tabled till the February Planning Commission meeting.

### **1537 Mount Hope Road-Strawberry Hill Foundation**

There was a discussion concerning the request for a “Memo and Request for Planning Waiver and Non-building Declaration”. The Hamiltonban Township Sewer Enforcement Officer Gil Picarelli approved/signed off on this. Sherry Roger Frost has concerned about the septic system the near by exceptional high value stream and if the current septic system was function properly. Sherry Roger Frost will consult with Gil Picarelli as to what is all involved with this approval. Betty Izer made a motion to recommend that the Hamiltonban Township Board of Supervisors approval the “Memo and Request for Planning Waiver and Non-building Declaration, seconded by LuAnn Dille. A roll call vote was taken. LuAnn Dille, Betty Izer, Stephen Jacobs voted yes. Calvin Bream did not responded and Sherry Roger Frost voted no. This motion was approved.

There was a discussion about the use of Lot 3 which has changed three times from residual, nature preserve, to now place of worship. Tyler Newton of All Land, LLC., would not committed to the use of Lot 3. Rob Thaeler stated the use could be a parish house, church, or is it related to the hermit land development further up Swamp Creek Lane. Sherry Roger Frost made a motion to request the proposed use of this lot be stated in more detail. The motion failed for a lack of a second. LuAnn Dille made a motion to recommend that the Hamiltonban Township Board of Supervisor conditionally approve this two lot subdivision per Wm F. Hills & Associates correspondence dated December 11, 2020, seconded by Betty Izer. This motion was approved with Sherry Roger Frost voting no. The plan must indicate that the four acre lot indicted use as a “place of worship” and the adjoining property uses be indicted. This will be enforced by the Hamiltonban Township zoning officer. The Hamiltonban Township Board of Supervisor has granted an extension for this plan.

### **456 Water Street-Strayer**

An application for a Hamiltonban Township Zoning Hearing for this subdivision was incomplete. It was lacking a copy of the plan. Hamiltonban Township Zoning Officer Wilbur Slothour received the plan yesterday, January 25, 2021, per Kenneth Scott.

No action can be taken by the Planning Commission until the zoning hearing has been held. Zoning Officer Slothour will proceed with the process for the zoning hearing.

### **Swamp Creek Lane-Mount Hope Road-Petrus Holdings**

Petrus Holding needs to continue completing the recommendation of the Wm F. Hill & Associates correspondence of January 14, 2021 and the January 19, 2021 correspondence from Adams County Planning and Development (ACP&D). There was a long discussion concerning Attorney Todd Kings of Petrus Holdings proposed zoning amendment by Rob Thaeler. It was stated there is Federal Law dated 1996 concerning not limiting the size of places of worship. Rob Thaeler questioned what are appropriate uses in the open space district. Hamiltonban Township Solicitor Matthew Battersby has reviewed this proposed zoning ordinance amendment. Fred Heerbrandt stated the proposed zoning ordinance is to remove the maximum lot size for a place of worship. LuAnn Dille made a motion to recommend that the Hamiltonban Township Board of Supervisors formally request that the proposed zoning ordinance amendment drafted by Petrus Holding Attorney Todd King be reviewed by the Adams County Planning and Development, seconded by Betty Izer. This motion was approved. It was suggested that an extension be requested to allow sufficient time for the proposed zoning ordinance to be review by ACP&D and the formal ordinance adoption process.

### **New/Old Business**

#### **Discussion amendments to Subdivision and land Development Ordinances and Zoning Ordinances**

Rob Thaeler has started to review of the Subdivision and Land Development Plan (SALDO) and Zoning Ordinances. He will have the revised swimming pool ordinance ready for the February meeting. The SALDO and zoning ordinances review will identify a few updates/revisions. One area in the zoning ordinance may be refining is increasing more permitted uses instead of by special exceptions, to be permitted by right. This would streamline the process more directly than a zoning hearing board decision.

Rob Thaeler explained that the open space zoning district lot size maximum was designed to limit the use of volume of people so to maintain the open space concept. Other permitted uses in open space are camps, environment education center, places of worship and events. There needs to be some sort of standards to limit the size and scoop of use to re-enforce the primary focus of the open space concept. It would be number of people per acre or building coverage. Religious uses are permitted in all Hamiltonban Township zoning districts.

**Township Engineer** Fred Heerbrandt did not have any additional comments.

### **Public Comment**

Chad Farace stated that he contacted his engineer Dennis Kauffman this evening immediate after his plan reviewed by Planning Commission. Dennis Kauffman has not received any communication from Wm F. Hill and Associates concerning a site visit on the percentage of the slopes. Chad Farace believed his plan would have been recommended for approval tonight. He is leaving the area for awhile and wanted this process to be completed. He will arrange for his daughter to be present for the site inspection in the near future. His plan is fairly simple and wished that someone would have contacted him directly. He complained that there are new houses on Mount Hope Road that have their rain spouts draining 35 feet from the stream.

The next Planning Commission meeting will be February 23, 2021, starting at 7:00 PM.

At 8:25 PM LuAnn Dille made a motion to adjourned the meeting, seconded by Betty Izer. This motion was approved.

Respectfully submitted,

LuAnn M. Dille