

23 Carrolls Tract Road, Fairfield PA 17320  
Regular Monthly Meeting Minutes  
Platform Startingmeeting.com  
July 27, 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 using Startmeeting.com: None Members present were: Chair Betty Izer, Calvin Bream, LuAnn Dille, Stephen Jacobs and Sherry-Rogers Frost

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

**Public Present:** Using Startmeeting.com: None, Clifford Frost 201 Mount Hope Road, Fairfield, PA., George "Butch" Harbaugh 103 Iron Springs Road, Fairfield, PA Duane and Linda Williams 1091 Fairfield Station Road, Fairfield, PA.

**Agenda Review:** The Planning Commission approved the July 27, 2021 agenda by general agreement.

**Approval of the Minutes:** Chair Betty Izer made a motion to approve the June 22, 2021 Platform Startingmeeting minutes, seconded by Sherry Roger-Frost. The motion unanimously was approved.

**1765 Mount Hope Road-Michael and Shirley Sites**

LuAnn Dille made a motion to recommend to the Hamiltonban Township Board of Supervisors approve the extension requested by the Sharrah Design Group for 1765 Mount Hope Road - Sites Subdivision Plan, seconded by Betty Izer. The motion was unanimously approved.

**Public Comment**

Clifford Frost would like to comment on the Iron Springs Zoning Text Amendment later in the meeting.

**New/Old Business**

There was no discussion nor comments for Subdivision and Land Development Ordinances (SALDO), Zoning Ordinances and Riparian Buffer possible ordinances amendments. Sherry Roger-Frost will re-email the link for the riparian buffers, she would like to be reviewed.

**Zoning Text Amendment**

Rob Thaeler explained that a request by a property was received by Hamiltonban Township(HBT). The property owner presented a zoning amendment that would

allow residential units in HBT Commercial Zoning District. This text amendment was discussed at a small group workshop meeting. Members attending the July 6, 2021 meeting at the Hamiltonban Township Municipal building were Supervisors Robert Gordon and Coleen Reamer, Planning Commission members Betty Izer and LuAnn Dille, Rob Thaeler and Fred Heerbrandt. The request was to allow residential units in HBT Commercial Zoning District. Three options were discussed: do not change the current ordinance, adopt the proposed zoning amendment and draft a new amendment with limits on the location of the residential units. Rob Thaeler submitted a draft amendment limiting residential structures in a Commercial Zoning District. Rob Thaeler and Fred Heerbrandt had a meeting with Sharrah Design Group Robert Sharrah. Robert Sharrah is proposing more residential units than originally mentioned. The starting draft would limit the residential units from be along major roadways like Route 116 and minor roadways like Iron Springs Road. The draft has general standards as in other Hamiltonban Township other zoning districts. Sherry Roger-Frost statement this residential plan could connect to roadways in Carroll Valley. The proposed draft could include language to prevent the connection to Carroll Valley roadways. Rob Thaeler's draft proposed limits density to maximum five dwelling units per acre, which matches other current HBT Zoning District. The Sharrah proposal was 10 dwelling units per acre. Sherry Roger-Frost asked why should the original zoning amendment even be considered. This was discussed at the workshop. The response was a property owner made an legitimate request that should be considered.

Clifford Frost believed there is a conflict of interest with Supervisor Eddie Deardorff, as Site Realty is the real estate agent for Eddie Deardorff. Cliff Frost believes the amendment is an example of spot zoning. He also stated that HBT would have an increase in funding with commercial zoning verse residential zoning. The Fairfield Area School District budget would need to increase with the increase students enrollment, the Fairfield Municipal Authority would have a larger usage increase with residential units than commercial units.

Duane Williams agrees with Clifford Frost comments. He also believes agriculture uses are the best for HBT. Linda Williams stated there will be more traffic, need for more police presents and 10 dwelling units per acre is too dense.

George 'Butch' Harbaugh asked what effect would this development have on his current farming operation. Especially the farm smells. Rob Thaeler stated that as long as the farm continues as a farm there are laws to protect the farming operation even without the farm being in a agriculture zoning district. Fred Heerbrandt stated there are strong State Laws to protect preexisting farming operations. HBT Zoning Officer Wilbur Slothour also stated that to George Harbaugh in an earlier conversion.

Sherry Roger Frost believes the present Zoning map keeps the growth area where it belongs.

Supervisor Gordon suggested that the amendment recommendation be tabled and that the small group continues to discuss the amendments. Sherry Roger-Frost does not want any changes to the current ordinance. Sherry Roger-Frost stated that there maybe more resident units because of the possible Conservation By Design subdivision on the golf course on Bullfrog Road.

Sherry Roger-Frost requested that Eddie Deardorff excuse himself from any decision concerning David Sites and any amendments changes because of their long business relationship. There are Conflict of Interest Abstention Memorandum forms on the meeting table at every meeting. Individuals that believe they may have a conflict need to complete the form at the meeting.

Clifford Frost requested that the small group workshop be open to the public. LuAnn Dille provided minutes of the meeting to the HBT Planning Commission members and the HBT Board for Supervisors of the informal small group meeting which was not required. Clifford Frost believes David Sites received private consideration which he was denied. Clifford Frost received a letter from HBT in past stating he could not be allowed to have a private conversion concerning zoning amendment changes. Supervisor Gordon stated that the current requested text amendment was presented at a regular public HBT Board meeting and discussions have been at regular public meetings and no secret meetings. Supervisor Gordon stated that the request was a reasonable request from a HBT property owner with a formal zoning amendment presented in a public meeting. David Sites has been paying sewer and water right on this property for many years. The front 17 acres were to be commercially developed. There were many grants in the past for the possible commercial development and highway improvements. The proposal failed as there was not sufficient dwelling units to support the proposed businesses.

The next small group workshop is schedule for August 17, 2021. There was a discussion by Clifford Frost to open the meeting to the public. LuAnn Dille made a motion to recommend that the HBT Board approve the small meeting be open to the public and that the meeting be properly advertised as an open meeting, seconded by Calvin Bream. This motion was unanimously approved.

Supervisor Gordon stated that the laws have recently changed requiring the meeting agendas be posted on the web-site in-advance of the meeting and posted on the building. HBT has been posting agendas on the HBT web-site for years. Tonight the agenda is on the outside door even though the law does not require that just yet.

### **Next Meeting**

The next regular Planning Commission will be August 24, 2021, starting at 7:00PM at the Hamiltonban Township Municipal Building.

Workshop Meeting to discuss SALD, Zoning and riparian buffer and other possible amendments, on August 17, 2021 starting at 1:00PM at the Hamiltonban Township Municipal Building open to the public.

### **Adjournment**

At 8:44PM the meeting was adjourned.

Respectfully submitted,

LuAnn M. Dille  
Secretary