

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

Chair Betty Izer called the meeting to order at 6:57 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 limit their comments to five minutes.

The formal meeting started at 7:00PM.

**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, and Stephen Jacobs and Sherry-Rogers Frost

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

**Public Present:** Using Startmeeting.com: Father Thomas, who may have recorded the meeting, Clifford Frost 301 Mount Hope Road, Fairfield, PA., recorded the meeting, and Jason Wolfe 38 N. Duke Street York, PA., C. D. Davidson representing Petrus Holding, Inc. 225 Swamp Creek Lane, Fairfield, PA. 17320. The following were present for SGI's Land Development Plan: Kevin Moore, Craig Wilson, Bob Shusko, and Mike Ward.

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

**Approval of the Minutes:** Betty Izer made a motion to approve the September 28, 2021 meeting minutes, seconded by Stephen Jacobs. The minutes was unanimously approved.

**Public Comments:**

Clifford Frost stated that he was told proposed zoning amendments are not public until the formal adoption process is approve but that submitted subdivisions and land development plans are public when they are formally submitted and the fees are paid. The proposed golf course may involve Conservation By Design Plan. Also, he commented on the Swamp Creek Project as to how the green roofs related to the stormwater plan and the septic system design.

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

This plan was tabled till next meeting as no new plans were submitted.

### **225 Swamp Creek Lane-Petrus Holding**

Revised Plans were submitted October 5, 2021. The changes are minor per the previously review comments. Sherry Roger-Frost questioned some of the stormwater management plan calculations with the parking area and heritages green roofs. Rob Thaeler and Jason Wolfe responded to her questions. Solicitor Battersby responded to Sherry Roger Frost that Hamiltonban Township (HBT) cannot go back to enforce items from the past. HBT must consider the current plans against current regulations and ordinances. Father Thomas asked about the timing of the review process. John Wolfe answer his questions. The hope is to have this plan ready for approval by Planning Commission (PC) next meeting, November 23, 2021.

This plan was tabled till next meeting as to give Planning Commission members time to review Wm F. Hills comments which were emailed late afternoon today.

### **Northern Tract Quarry-Specialty Granules, LLC. (SGI)**

SGI professional staff attended the meeting. Kevin Moore gave a paper slide review of SGI in general and the Northern Tract operations. SGI must, and have followed DEP requirements/permits and mining requirements/permits. It was stated SGI has received awards for good management procedures/practices. Sherry Frost-Roger questioned the reclaiming process. Supervisor Deardorff stated that SGI will follow all DEP and mining laws. SGI does have a bond. New plans were submitted per the Wm F. Hill comments and Adams County Planning and Development (ACP&D) comments. In 2014 HBT approved the SGI land development plan, there were three conditions which are to be now reviewed by HBT PC. The ACP&D comments have not been received to date.

At 7:53PM Supervisor Deardorff left the meeting. Solicitor Battersby stated SGI is required to adhere to Pennsylvania's legislative laws, requirements and permits, which HBT PC does not have control over those items. HBT did make conditions to the plan in the 2014 approval. One condition was of a larger than required buffer. SGI agreed to this condition. This plan was tabled till next meeting. SGI staff left the meeting at 8:01PM,

### **New/Old Business**

#### **Subdivision and Land Development Ordinances (SALDO)**

Formal adoption process in being completed for amending lot additions, estate lots and swimming pools ordinances by the HBT Board of Supervisors.

#### **Zoning Ordinance Amendment for the Commercial District**

In the future there may be some recommendations for changing some uses from special exception to permitted by right in the HBT ordinances as recommended by the HBT Small Group Working.

LuAnn Dille made a motion to recommend that the Hamiltonban Township Board of Supervisors approve the Amended Commercial District Zoning Amendment, seconded by Calvin Bream. Sherry Frost-Roger asked will this amendment will be effective in all HBT Commercial Zoning District. The answer was yes. Solicitor Battersby stated that the 17 acres at Route 16 and Iron Springs Road must be a commercial design per this amendment. This amendment will allow residential units in the commercial zoning districts. Solicitor Battersby stated the PC and Board of Supervisors can add appropriate conditions to the plans for approvals. It was noted that Conservation by Design is not required in commercial district amendment.

Conservation By Design is only required in one zoning district at this time. Sherry Roger-Frost stated she would like the Conservation By Design in all HBT zoning districts. Solicitor Battersby stated Rob Thaeler could amend this ordinance to include the correct codification number system and standardize the conditions per the HBT format. Comments were made as to Conservation By Design open space and stormwater management plans uses in open space. Stormwater management plans can be included in open space. John Golanski suggested that the new amendment should follow the codification number system and that this should follow the same procedures and requirements as the other zoning districts. Tonight, Rob Thaeler received the formal review request as required by Municipal Planning Code.

A roll call vote was taken on the original motion. All members voted no. LuAnn Dille amended the original motion. LuAnn Dille made a motion to recommend that the Hamiltonban Township Board of Supervisors approve the Amended Commercial Zoning District Amendment with the conditions that administrative standards be added, that the procedures and requirements be the same as other HBT zoning districts, and to use the codification number system, seconded by Betty Izer. This motion was unanimously approved. Rob Thaeler will complete the formal review for the Adams County Planning and Development and draft amendment as noted above.

#### **Amending Riparian Buffer Ordinance**

This discussion was tabled to the next meeting

#### **Township Engineer's Comments**

John Golanski stated that the possible development on the golf course may have a problem obtaining water and sewer capacity from the Fairfield Municipal Authority. Solicitor Battersby stated that David Sites has reserved water and sewer capacity for the commercial project at Route 116 and Iron Springs Road for many years.

SGI and Petrus have submitted revised plans that will be reviewed for the next PC meeting. New revised plans will be provided to the PC.

#### **Township Planner's Comments**

No additional comments at this time.

Solicitor Battersby stated that Planning Commission must trust the Township professional staff. There are many standards and requirements that are imposed by laws and government agencies, which have authority over HBT ordinances.

Sherry Roger-Frost questioned the sewer plan on the Petrus Development. Solicitor Battersby stated the HBT Sewer Enforcement Officer must abide by DEP regulations and he has the authority not HBT. Planning Commission cannot exceed their professional staff authority. Sherry Frost-Roger questioned why are the Petrus heritages on very steep slopes as there are ordinances that will not allow building on very steep slope of 20% or more. This has also already been stated in plan reviews.

#### **Public Comments**

Clifford Frost stated proposed ordinances are not public until formal process for approval. Plans are public after preliminary submission and fees paid. Solicitor Battersby stated that cellphone pictures are not allowed but public can pay for copies. Sherry Frost-Roger asked PC members if PC members want to meet twice a month. Solicitor Battersby stated that there is a small volume of plans and once of month

meeting are working for now. If a large volume of plans are submitted in the future that would be the time for twice a month PC meetings.

**Next Planning Commission Meeting**

November 23, 2021 is the next planned meeting starting at 7:00PM at the Hamiltonban Township Municipal Meeting 23 Carrolls Tract Road, Fairfield, PA

**Adjournment**

The meeting was adjourned at 8:55PM.

Respectfully submitted,

*LuAnn M. Dille*

LuAnn M. Dille  
Secretary