

CUMBERLAND TOWNSHIP PLANNING COMMISSION  
Meeting Minutes of April 11, 2024  
1370 Fairfield Road, Gettysburg, PA 17325

Call to Order: The Meeting was called to order at 5:33 P.M. by Chairperson Barbara Underwood.

Attendees: Chairperson Barbara Underwood, Vice-Chairperson Kenny Caudill, Members Theresa Finkenbinder, Kirby Kiefer and Robert Bunce; Treasurer/Finance Director Camie Stouck-Phiel, Township Secretary Michele Long, Solicitor Sam Wisner and KPI Technology Representative Leah Heine.

Minutes of the March 14, 2024 Regular Meeting: ***Approved on a Caudill/Finkenbinder motion; 5-0 vote.***

Public comments: None

Active Business:

**Thomas Clowney Sewage Planning Module:**

The submitted sewage planning module is for the proposed one lot subdivision for a single-family residence with conventional septic system (Lot 4). PA DEP requires a Preliminary Hydrogeologic study due to a well sample identified in the Township's ACT 537 Plan. Heine explained that a few additional items need to be shown on the plan. A completed Component 4B-County Planning Agency Review is required. Heine reviewed the Sewage Facilities Planning Module Component 4A (Municipal Planning Agency Review) with the Commission.

***Motion of Finkenbinder, 2<sup>nd</sup> by Kiefer approving the submission of the Municipal Planning Agency Sewage Planning Module (4A) provided all the outstanding engineering Module package comments being addressed; Motion approved 5-0.***

New Business:

**American Battlefield Trust:**

The plan proposes to subdivide, and existing 6.25-acre improved parcel owned by the American Battlefield Trust into a 5.723-acre lot (Lot 2) for conveyance to the National Park Service and a .53-acre lot (Lot 1 Residue) that contains a brick dwelling. The parcel is located in the Village Mixed Use District with access from Baltimore Pike. Heine first discussed the zoning comments with the Commission. Heine asked that the maximum building coverage and impervious coverage for the VMX District be updated on sheet one of the plans. It was noted that the plan creates new building and parking/pavement setback non-conformities. Lastly, it was asked that the plan clearly designates the boundary line that represents the NPS Preservation Overlay boundary.

Heine discussed the Subdivision Ordinance comments, noting that the Adams County Planning comments should be considered. Heine noted that the owner's acknowledgment needs to be executed and a signature area will need to be added for the United States of America to sign and acknowledge the proposed Lot 2 addition to their lands. One property corner monument should be located on a proposed common corner. Heine discussed the Sewage Planning (non-building waiver) approval that is required. It is their understanding from the Township Sewage Enforcement Officer that as per a conversation with the Battlefield Trust representative that the Lot 1 home is not currently occupied, and the home will be demolished. If this is the case, it is

required that notes be added/reworded on the plan to indicate that no construction/building can occur on Lot 1 without approval of on-lot sewage disposal.

***Kiefer made a motion recommending the Sewage Planning non-building waiver be approved, 2<sup>nd</sup> by Bunce; Motion Carried 5-0.***

Heine mentioned that the plan title should include wording to represent that a lot addition is being proposed, and the Site Data section on sheet two should clearly indicate the new combined lot area. A note is required to state that Lot 2 is non-separable unless a subdivision plan is approved. Finally, a Deed of Consolidation is required and should be provided for review by the Township Solicitor and the standard Cumberland Township notes should be added to the plan.

***Motion of Bunce, 2<sup>nd</sup> by Kiefer recommending approval of the plan by the Board of Supervisors, based on all outstanding engineering comments being addressed; Motion approved 5-0.***

#### **Cumberland Township Text Amendment Request:**

Request to amend the code to establish certain exemptions to the land development plan submission requirement and to amend the definition of "Land Development".

***Caudill made a motion to recommend approval of the ordinance, as written, by the Board of Supervisors, 2<sup>nd</sup> by Finkenbinder; Motion Carried 5-0.***

#### **Citizen Text Amendment Request:**

Application to amend Section 27.1601.1A of the Cumberland Township Zoning Ordinance minimum contiguous lot size for the current 25-acre requirement to 10 acres or less. It was explained to the Commission that in 2013 the Board of Supervisors adopted an Ordinance that amended Chapter 27, to add "Planned Use Development-Single Family Attached Townhouse Dwellings" as permitted use in the Mixed-Use Zone. The applicant's engineer Bob Sharrah explained to the Commission that there are a limited number of tracts in the MX Zone that are 25 plus acres. The belief of Heine was that this Ordinance was created in 2013 to address a real estate issue for a single applicant, rather than a broader community planning or development issue. The Commission discussed removing the minimum tract size all together, since the MX District standards and the Planned Use Development standards will already be used for plans and development.

***Bunce made a motion to recommend approval of the ordinance by The Board of Supervisors. It is recommended by the Commission to eliminate the minimum acreage requirement, as the Commission recognizes that there are already safeguards in place within the current Zoning ordinance, such as the August 2023 Overlay and the MX Zoning District Development Standards; 2<sup>nd</sup> by Caudill; Motion Carried 5-0.***

#### **General:**

The March 2024 Zoning / Building Code Officer's Report was acknowledged.

There being no further business the Meeting was adjourned at 6:32 P.M. ***Approved on a motion by Bunce 2<sup>nd</sup>, by Kiefer; Motion carried 5-0.***

Submitted by: \_\_\_\_\_ Camie Stouck-Phiel, Treasurer