

CUMBERLAND TOWNSHIP PLANNING COMMISSION MEETING
1370 Fairfield Road, Gettysburg, PA
Minutes of the November 8, 2018

CALL TO ORDER

The meeting was called to order at 7:00 pm by
Chairman Jim Henderson. The meeting was recorded.

ATTENDANCE

Present were Planning Commission members, Jim Henderson (Chairperson), Barry Stone (Vice Chairperson), Kenny Caudill, Steve Tallman, Dennis Hickethier, Zackary Rice (Solicitor) William Naugle (Zoning Officer) Michele Long (Assistant Zoning Officer), Annelise M. Niner (Administrative Assistant)

APPROVAL OF MINUTES

Approval of Minutes from the October 11, 2018.
Mr. Barry Stone motioned to approve the submitted minutes.
Seconded by: Dennis Hickethier.
Vote: Yea- 5 Nay-0
Motion Carried.

PUBLIC COMMENT

There was no public comment at this time.

ACTIVE BUSINESS

Lutheran Theological Seminary, subdivision of one (1) lot from current piece of property located on Seminary Ridge. This subdivision is located between Gettysburg Borough and Cumberland Township Districts.

Ms. Leah Heine, Township Engineer Representative, reviewed a proposal to subdivide the lot from the Seminary property (currently 30 Acres) and convey it to the American Battlefield Trust (Lot 2, 10.36 acres). The residual parcel (Lot 1, 19.5 acres) will continue as an institutional use with continued Seminary ownership. The subject Seminary property is located mostly within Gettysburg Borough's INS-1 Zoning district. A portion of the land, consisting mainly of a stormwater management basin lie within Cumberland Township's INS (Institutional) and OS (Open Space) zones.

Ms. Heine explained to the Planning Commission that the previous engineering items have been addressed since the last meeting.

Ms. Heine discussed with the Planning Commission that they had previously recommended approval at the October 2018 Planning Commission meeting waivers 1) A, B, C & D. Waiver 1E was not. Recommended for approval at the time due to items needing clarified. Since that time, Ms. Heine is satisfied to recommend moving forward with this waiver.

Mr. Tallman discussed with the Planning Commission along with Ms. Heine that the wording for 1E, should be re-worded to add the following “those areas outside the project area.”

Motion: Mr. Steve Tallman motioned to recommend all 5 waivers. Mr. Kenny Caudill seconded the motion.

Vote: Yea-5, Na- 0

Ms. Heine went on to discuss the remaining subdivision comments that were still on-going.

- 2) Sewage Planning (non-building waiver) should be addressed. – *Ms. Heine informed the Planning Commission that this is still in progress.*
- 3) Review and approval of the plan by Gettysburg Borough is required. *Ms. Heine has informed the Planning Commission that this has been reviewed once by Gettysburg. Was resubmitted, awaiting comments back from them.*
- 4) New Tract / Lot Consolidation Deeds should be provided. *Ms. Heine explained that this is still in progress as well.*
- 5) It should be clarified who will maintain the walking trail. It does not appear to be contained within an easement and is located entirely on Lot 2 which will be the responsibility of the American Battlefield Trust.
- 6) It will need to be determined who will be responsible for the continued operation and maintenance of the existing stormwater basin and structures located on Lot 2 within Cumberland Township. As proposed we would understand that operation and maintenance would now be the responsibility the American Battlefield Trust following property transfer. The Township should consider if an updated Stormwater Operations and Maintenance (O&M) Agreement will need to be executed and recorded with the plan.

Ms. Heine discussed the Walking Trail and the O&M agreement. Waiting to see if the Seminary will maintain the walking trail, if so, an easement would need to be shown. As well as some type of agreement for this. If the Trust is going to maintain the walking trail, then no easement would be required.

Mr. Garis (Beyond All Boundaries) explained to the Planning Commission that both items 5 and 6 are very important and need to be addressed, they are currently working on addressing the O&M agreement.

Mr. Cole (Representative of The Seminary) discussed the maintenance of the walking trail and stormwater basin. As of right now they will maintain the O&M agreement. The Seminary and Trust are working with the attorneys on the agreement.

Mr. Tallman discussed with the Board his concern that the Gettysburg Borough Comments had not come back, if they motion to move forward how would that motion be affected by the comments as well as Gettysburg's comments. Mr. Zackery Rice (Township Solicitor) and Ms. Heine, both felt the Planning Commission could place conditions on the motion with regards to the comments from Gettysburg Borough and the solicitors.

**Motion: Mr. Steve Tallman motion to approve pending Gettysburg Borough comments and recommendations, Engineer's comments and the Solicitor's comments. Seconded by: Kenny Caudill
Vote: 5 Yay 0 Nay**

NEW BUSINESS

Gettysburg Landscape Supply- A minor land development plan for a landscape yard located on Emmitsburg Road.

Mr. Kenny Caudill recused himself from the Commission.

Ms. Leah Heine, Township Engineer Representative, presented the proposed improvements to an existing 9.7-acre lot located on the west side of Emmitsburg Road. The lot contains a previously constructed boulevard entrance, unoccupied home, pole building, wet basin and underground stormwater storage area.

The zoning of the proposed landscape yard is MX District. The proposed plan proposes to construct a 140'x130' gravel area, three (3) gravel pads for storage of landscaping materials and one 12'x24' office building.

Ms. Heine reviewed the Zoning Ordinance Comments with the commission.

- 1) It appears that buffering would be required along property lines bordering the A/R and Open Space Zones and along Emmitsburg Road.

Ms. Heine discussed with the Planning Commission in regards to the buffering along the property. In regards to #1, it was asked that the Zoning Officer go to the property to assess the current buffering to see if what is there is adequate.

Mr. Caudill discussed with the commission that the issue with adding additional canopy type trees to the buffer in the front of the property would be that foliage would get into the product he is selling. He also indicated that the houses across the street from his property also have large canopy trees in their front yard. Mr. Caudill's concern is that the foliage from the additional required trees on his property would then end

up in their yard causing an unwanted burden on them. He is asking that additional buffering not be required.

- 2) The street setbacks listed in the site data table do not match those shown in plan view (plan view is correct). *Ms. Heine explained that what is being shown in Plan View is correct and Site Data Table needs to match.*
- 3) Adams County Planning comments should be considered. *Ms. Heine asked if the comments had been received. Ms. Michele Long said the comments had not come as of yet. The Planning Commission asked that as soon as they come in to please have them forwarded to them.*
- 4) Approved plans/mylars shall be signed and sealed by the design engineer and certification signed by the record owner and equitable owner prior to plan recording. (304.2.A.3&16) *Ms. Heine indicated this is standard.*
- 5) We recommend the plan is labeled as a Final Plan and that a waiver request is made from the requirement to submit a Preliminary Plan. *Ms. Heine asked to have it labeled on the plan, to make the waiver request.*
- 6) The location of the survey benchmark should be noted. *Mr. Bob Sharrah indicated it will be added to the plans.*
- 7) It should be clarified if the well and septic are proposed to remain. If so, the location of the septic drainfield should be shown. *Ms. Heine requested that the drainfield should be added to the plans.*
- 8) A copy of the wetland report should be provided. *Ms. Heine asked to have any paper work in regards to the report be provided.*
- 9) The "Secure of Title" block, listed deed book and page numbers given in the plan view should be clarified. *Ms. Heine asked to double check this please.*
- 10) Review from the Adams County Conservation District is required. In reference to E&S items, please provide the total limit of disturbance area and include E&S controls below the proposed basin berm work. *Ms. Heine was not sure if this had been complete at this time. There is an email from Mr. Russell Ryan, Adams County Conservation District, in regards to the E&S items with his comments. A copy of this email is in the packets.*
- 11) An existing swale and associated pipe are located along and under the existing paved driveway. These items and any subsequent revised entrance grading should be shown. Additional filter sock in this area may be necessary. *Ms. Heine asked to have this shown and some grading may need to be changed.*

- 12) The owners should give strong consideration to a right -of – way through the property to provide access to the rear ad joiner. *Mr. Caudill indicated that they were in the process of working on an agreement.*
- 13) We recommend that wetland areas closest to the proposed improvements be marked in the field with fencing prior to construction. *Mr. Caudill indicated areas are currently flagged off.*
- 14) The Township should be provided with a copy of the PennDOT driveway permit. *Ms. Heine asked Ms. Long to please provide a copy of the permit.*
- 15) Due to the amount of proposed new impervious areas (22,412 SF) the stormwater management, Simplified Approach, cannot be used. Please show that the modified basin, in addition to meeting volume requirements, will not exceed pre-development release rates. Existing pond riser/outlet pipe and infiltration bed outlet pipes should be shown. *Ms. Heine indicated that the routing of the basin may be needed.*
- 16) Pending review of a revised plan, bonding of related improvements may be required. *Ms. Heine was not sure what changes needed to be done.*
- 17) A stormwater Operations and Maintenance Agreement will need to be executed and recorded with the plan.

1st Motion: Mr. Barry Stone motioned to recommend the plan to be labeled as a Final Plan and that a waiver request is made from the requirement to submit a Preliminary Plan. Seconded by: Dennis Hickethier.

Vote: 5 Yay- 0 Nay

2nd Motion: Mr. Dennis Hickethier motioned to recommend approval pending, based upon the County comments along with the engineering are not restricted or would prohibit the Supervisors from taking action. Seconded by Steve Tallman

Vote: 5 Yay- 0 Nay

Economic Development Municipal Outreach: Review questions submitted at the October 23 Board Meeting regarding Economic Development Municipal Outreach packet submitted by Adams County Planning Office;

- 1) What types of developments, if any, do you want to support?
Services such as a hardware store, lawn mowing or something in that scope.
- 2) What types of industries, if any do you want to support?
Low impact industries. Such as the Tec. Industries, Ad. Industries

- 3) Does your current zoning and infrastructure support your vision?
The current zoning does not support this vision.
- 4) Are there certain sites you'd like to develop or blighted areas that need re-developed?
Yes, the Greenmount area, where the Eisenhower Center located and some of the properties around that area.
- 5) Are you willing to consider incentives such as tax incentives like Local Economic Revitalization Tax Assistance (LERTA) or Tax Increment Financing (TIF), or other re-development programs?

Yes

- Would you like more information on tax incentives, economic development assistance and federal financial resources?

The Planning Commission felt this was more a Board of Supervisors question.

GENERAL

Zoning/ Code Officer's Report for October 2018.

Mr. Naugle went over with the Planning Commission the transition with him retiring. Mr. Caudill asked about he activity on Hospital Road property. Mr. Naugle and Ms. Long explained they are currently working with the homeowner on getting permits obtained.

Mr. Henderson wanted to express on behalf of the Planning Commission they have enjoyed working with Mr. Naugle and they will miss him. They hope he enjoys his retirement.

ADJOURN

There being no further business, the meeting was adjourned at 8:30 pm by motion of Mr. Kenny Caudill. Seconded by Steve Tallman.

Annelise M. Niner- Administrative Assistant