

CUMBERLAND TOWNSHIP PLANNING COMMISSION
Minutes of the April 12, 2012 Regular Meeting

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Vice Chair Barry Stone. The meeting was recorded.

ATTENDANCE

Present were Jim Henderson, (*Chair, arrived at 7:10p.m.,*) Barry Stone, (*Vice Chair*) Stephen Tallman, Carl Athey, Dennis Hickethier, Ben Thomas, (*Township Manager*), William Naugle (*Township Code Enforcement/Zoning Officer*), Leah Heine, (*Township Engineer*), Michele Long (*Secretary*).

APPROVAL OF MINUTES

Approval of the Minutes from the March 8th Planning Commission Meeting. **Mr. Hickethier made a motion to approve the minutes of the March 8th, 2012 Meeting. 2nd by Mr. Athey.**

Vote: Yea-4 Nay-0 Henderson Absent

Motion carried.

PUBLIC COMMENT

Jean Stone from 1745 Mummasburg Road wanted to defer her public comments until the certain agenda items came up that she wanted to speak about.

Peggy Keating-Butler from 1805 Mummasburg Road spoke of Concentrated Animal Operations (CAO)/Concentrated Animal Farm Operations (CAFO) within the Agriculture-Residential (AR) Zoning District and the proposed Keller Poultry Farm application.

ACTIVE BUSINESS

Cumberland Township Subdivision & Land Development Ordinance Text Amendment(s)

Remove a grading criterion when adjacent to a property line.

Addressed by Township Engineer.

Staff recommends removal from proposed changes.

Mr. Thomas explained the reasoning for this text amendment to be removed from the proposed text amendments and after speaking with the Township Engineer it was recommended that this be removed as there was no reason to keep this item on the agenda for discussion.

Mr. Stone rearranged the agenda moving the next item of Zoning Text Amendments to the end of the agenda due to Mr. Henderson not arriving until later and due to himself having a conflict of interest.

NEW BUSINESS

Lutheran Theological Seminary - (Gettysburg Borough Primary Municipality)

A cursory review of proposed improvements to the Seminary including expanded parking lot, expanding walking tour, multi-purpose fields and associated storm water management.

Ms. Hine explained that the Township Engineer did not have enough time to give a full review but stated that Ms. Love with the ELA Group

representing the Lutheran Theological Seminary would like to give a presentation on the project. Ms. Love explained the reasoning for the project.

Mr. Henderson arrived at 7:10 p.m.

Mr. Tallman made a motion to table this item for further review and comments from KPI. 2nd by Mr. Hickethier

Vote: Yea-5 Nay-0

Motion Carried

Mr. Stone turned the meeting over to the Chair Mr. Henderson.

NEW BUSINESS

Gettysburg Area School District - (Gettysburg Borough Primary Municipality)

A cursory review of a New Middle School Land Development Plan that is partially located within Cumberland Township.

Ms. Hine explained the plan and her concerns within the Township. Mr. Dan Wise from K&W Engineers and Gary Redding from Gettysburg Area School District reviewed the Township Engineer comments with the Commission.

Mr. Hickethier made a motion to recommend approval contingent upon receiving a copy of the meeting minutes from the National Park Service and the Township Engineer receiving the storm water calculations and that they meet the requirements.

Vote: Yea-5 Nay-0

Motion Carried

NEW BUSINESS

The Durboraw Family Trust

A minor subdivision plan creating one new lot from an existing 160 acre property.

Mr. Robert Sharrah, representing the project owner, explained the plan. Ms. Hine reviewed the Township Engineer's comments with the Commission.

Mr. Athey made a motion to recommend approval dependent upon KPI comments being met. 2nd by Mr. Stone

Vote: Yea-5 Nay-0

Motion Carried

NEW BUSINESS

The Durboraw Family Trust Sewage Planning Module

A minor subdivision plan creating one new lot from an existing 160 acre property.

The Commission reviewed the Planning Module with the Ms. Hine.

Mr. Stone made a motion to recommend approval of the sewage planning module. 2nd by Mr. Tallman.

Vote: Yea-5 Nay-0

Motion Carried

NEW BUSINESS

Jayjyoti Corporation

An Adams County Pleas Court ordered addition plat which proposes the subdivision of Parcel A and Parcel B from the property of the existing Comfort Suites Hotel. These lots will be conveyed to the adjacent property, which currently contains The Pike Restaurant (Baltimore Pike)

Mr. Robert Sharrah, PLS for the project, explained the issues and approvals with the 2008 Land Development Plan along with the explanation for it not being recorded. Mr. Sharrah continued to describe the reasons for this court ordered addition plat.

Ms. Hine reviewed the Township Engineer comments with the Commission and Mr. Sharrah.

Mr. Athey made a motion to recommend approval pending the following:

- 1. Receipt of the entire court ordered agreement**
- 2. Receipt of the stormwater agreement**
- 3. Satisfaction of the Township Engineer comments**
- 4. Restamping and recording of the 2008 land development plan 2nd by Mr. Stone**

Vote Yea-5 Nay-0

Motion Carried

NEW BUSINESS

Jayjyoti Sewage Planning Module Waiver

A court ordered addition plat which proposes the subdivision of Parcel A and Parcel B from the property of the existing Comfort Suites Hotel. These lots will be conveyed to the adjacent property, which currently contains The Pike Restaurant along Baltimore Pike.

The Commission reviewed the non-building waiver sewage planning module with Mr. Sharrah.

Mr. Stone recommended approval of the sewage planning module waiver. 2nd by Mr. Hickethier.

Vote: Yea-5 Nay-0

Motion Carried

NEW BUSINESS

HACC Parking Lot Expansion

The Harrisburg Area Community College is seeking a conditional use per Section 27-1102.9 of the Zoning Ordinance for the expansion of a parking lot that is within floodplain areas.

Mitch Kemp with Snyder, Secary & Associates stated the School's reason for needing the extra parking and agreed to all comments he received from KPI.

Ms. Hine reviewed the KPI comments with the Commission.

Mr. Ron Cline from HACC stated they would be putting out signage in regards to flooding and signage gates.

Mr. Tallman made a motion to table this item for further information next meeting and reasonable conditions to be established. 2nd by Mr. Athey.

Vote: Yea-5 Nay-0

Motion Carried

ACTIVE BUSINESS

Cumberland Township Zoning Text Amendment(s)

Reviewing the previously tabled items, Section 26 & Section 27, of the Chapter 27 Amendments to the Cumberland Township Zoning Ordinance.

Mr. Stone Recused himself from the Commission to the audience

Mr. Thomas read the proposed text amendments that were tabled from the last meeting.

Mrs. Stone gave public comment on her feelings of these text amendments explaining her opposition to what the Township was proposing.

The Commission had open dialogue with Mrs. Stone.

Mr. Tallman made a motion to accept Section 26 & 27 of the Chapter 27 Amendments with the elimination of certified mail in Section 27. 2nd by Mr. Athey.

Vote: Yea-4 Nay-0 Stone Recused

Motion Carried

NEW BUSINESS

Cumberland Township Citizen's Proposed Revised Zoning Text Amendment(s)

Increasing the minimum setback distance from 200 feet to **500** feet for CAO's in the AR Zoning District

Mr. Thomas explained the reasoning for this revision.

Mr. Stone explained the miscalculation from 1,000 foot setback to the 500 foot setback.

Mr. Hickethier made a motion to recommend approval of the 500 ft setback rather than the 1,000 ft. setback.

Vote: Yea-3 Nay-1 (Athey Opposed) Stone Recused

Motion Carried

NEW BUSINESS

Keller Poultry Farm

Conditional Use for a concentrated animal operation in the AR District located on Mummasburg Road.

Mr. Aaron Marines attorney representing the Keller Poultry Conditional Use Application gave an explanation as to what has been submitted and asked the Commission of any questions they had. Mr. Marines also described the plan and what was going to be on site. Mr. Marines also spoke of the ACRE law which is a state law that protects agriculture.

The Commission had open dialogue with Mr. Marines.

Mr. Tallman made a motion to table this item for more discussion at next month's meeting. 2nd by Mr. Hickethier.

Vote: Yea-4 Nay-0 Stone Recused

Motion Carried

Mrs. Stone gave citizens conditions to be reviewed

Mr. Thomas made an announcement that all of the information for this application is available at the Township office for public view.

OTHER BUSINESS

Zoning/Code Officer's Report

Mr. Naugle gave a report for the March, 2012 building/zoning activities within the Township.

ADJOURN

There being no further business, the meeting was adjourned at 10:04 p.m. by motion of Mr. Stone, 2nd by Mr. Hickethier.

Vote: Yea-5 Nay-0

Motion carried.

Michele Long, Secretary