

**CUMBERLAND TOWNSHIP PLANNING COMMISSION**  
**Meeting Minutes of May 11, 2023**  
**1370 Fairfield Road, Gettysburg, PA 17325**

Call to Order: The Meeting was called to order at 5:30 P.M. by Chairperson Steve Tallman.

Attendees: Chairperson Tallman, Vice-Chairperson Kenny Caudill, Members Barbara Underwood, Kirby Kiefer, and Theresa Finkenbinder; Solicitor Sam Wisner, Secretary Michele Long, Treasurer/Finance Director Camie Stouck-Phiel, Township Manager David Blocher and KPI Technology Representative Leah Heine, PMCA Zoning Officer Clem Malot.

Minutes of the April 13, 2023 Regular Meeting: ***Approved on An Underwood/Finkenbinder motion; 5-0 vote.***

Public comments: Public comments were deferred and are welcome following presentation of agenda items.

Active Business:

**BR Smith Properties Conditional Use Request:** BR Smith Properties is seeking a Conditional Use (motion requested) for a proposed campground in the Mixed Use (MX) zoning district as required per Section 27-602 of the Cumberland Township Zoning Ordinance. The property is located at 75 Cunningham Road; Parcel number 09E16-0006---000.

Brain Smith and his attorney Stacey MacNeal (Barley Snyder) were present to answer any questions about the Conditional Use Request. MacNeal explained that the property is comprised of two parcels of land with the intention that it will be reverse subdivided into one parcel, that will contain approximately 130 acres. They are before the Commission to get a second principal use of the parcel for Campground Use. The proposed Campground will contain approximately 365 camping sites on about 33 acres. There is also a recreational component included with the Conditional Use request. Recreational use would be available to the hotel guests and the campground guests. MacNeal explained to the Commission that her client believes the proposed use is consistent with the Mixed Use Zoning District. MacNeal explained that as designed the intent is to keep as much of the property remaining in open space as possible. The Commission reviewed the Zoning related comments with Malot. Malot explained from his letter dated May 10, 2023, that having reviewed the applicant's submittals, he is prepared to classify the property as a Mixed Use Commercial Property containing two Principal Uses (Hotel and Campground). However, Malot explained to the Commission and the applicant that he has concerns that have yet to be addressed. The classification as two Principal Uses as Campground and Hotel are very dependent on the further explanation/assurances that the recreational features described on the Mixed Use Ordinance Layout are capable of being limited to the guests at either use and not the general public, nor should they be advertised as such or converted to a more public use in the future without the proper municipal review, permitting and approvals. Malot explained that such a change would be a change of use to a Theme/Amusement/Entertainment/Water Park Classification. He stated to the Commission and the applicant that a written acknowledgement of these conditions and the owner's understanding of the conditions/requirements for such a change would be necessary for Zoning Permit review and approval. Malot stated that his additional concerns are mostly zoning related and should be addressed during the Land Development Phase of the project. Malot stated that mentioned in his letter to the applicant is his support of a modification

by the Board of Supervisors on the requirements of “Establishing minimum standards concerning construction and maintenance of campgrounds.” The ordinance requires a 300 foot setback from any nonaffiliated residence by reaching an agreement to suggest a 35 foot setback around the entire perimeter, with screening at key areas; except where setbacks are affecting an arterial or collector street. Malot states that along those perimeters the setback would revert to the ordinance requirement of 50 feet and 40 feet respectively. Another big concern that Malot has is the internal circulation of the pedestrian traffic. Malot noticed on the plan that there wasn’t any provision for the people going from the Campground to the golf course or the pool, other than to walk along the automobile highway.

**Motion of Tallman/Caudill to recommend the Conditional Use Request to the Board of Supervisors, noting that the zoning officer’s comments will need to be addressed and that an agreement needs to be reached in reference to the zoning officer’s 35-foot setback suggestion; Approved 5-0.**

New Business:

**Graphcom:**

Final Plan for a one lot subdivision located on Chambersburg Road. The plan proposes to subdivide a 1.28-acre lot with an existing home, driveway, and garages from an existing Graphcom property of 13.19 acres. Following subdivision, the residential tract will contain 11.91 acres and no improvements. The site is bounded to the north by the CSX Transportation Railroad and to the south by Route 30. No new improvements are being proposed with this plan. The subject tract is zoned Mixed Use (MX).

Heine explained the two zoning comments to the commission. The first comment explained that the building and impervious coverage has changed in this zone, Heine requested that this be updated on the plan. The final comment deals with the requirement that the site have public sewer and water. The engineer is requesting an updated note be added to the plan to address this zoning comment.

Adams County Comments should be considered, Heine stated she didn’t see any that needed to be addressed. Further, general note six should be reviewed on sheet two. Heine has asked that this note be removed from the plan. The owner’s acknowledgment needs to be executed. Heine also stated that the building setbacks should be shown for the residual tract. Heine asked that the stream depicted on the western and southern edge of Lot one should be placed in a 20-foot-wide easement. Finally, one new concrete monument on a common property corner is required. Heine told the commission that the applicant’s engineer, Ken Scott was present for the meeting and provided Heine with updated plans that look to have addressed many of the comments discussed.

***Underwood made a motion that this plan be approved based on KPI engineering comments being addressed. Kiefer 2<sup>nd</sup> the motion; Motion Carried 5-0.***

**Brian and Patrick Redding:**

Final Plan for a self-storage facility located on Chambersburg Road. The plan proposes the construction of five self service storage buildings on Lot 1 owned by Stanley and Candice Clark located in the MX District at 1170 Chambersburg Road. A Conditional Use Hearing was held on January 10, 2023, where the Board of Supervisors approved the self-service storage facility use for this property. Brian and Patrick Redding are the contract purchasers of Lot one. The plan proposes that the storage units will be accessed from what is shown as a newly proposed

entrance off Chambersburg Road. The site is not proposed to have public water or public sewer. The proposed plan shows one new stormwater basin and associated swales. Inlets and piping are proposed to control stormwater on site and from the access road.

Terry Sheldon was present to represent his applicants. Sheldon explained that the Land Development plan looks the same as the previous plan, nothing significant has changed on the plan since the Conditional Use Hearing. He explained to the Commission that KPI has provided a lot of comments that they will need to address. Sheldon feels that there are too many comments to discuss currently and it's too early for a conditional approval of the plan. He also explained that an NPDES Permit and a PennDOT Permit will need to be obtained. Heine addressed that she has just recently learned that the land is already two lots, this was unclear from the tax mapping that was used for review of the plan. Wisner explained that there will need to be some agreements in place for the maintenance of the stormwater management between the two lots. Heine also mentioned to the Commission that the dimensioned 35-foot building set back from a residential property line is for accessory structures. Storage buildings are considered principal structures therefore the setbacks should be 40 feet.

**Motion of Kiefer/Underwood in favor of requesting the waiver of submitting a separate preliminary plan; Approved 5-0.**

***Underwood/Finkenbinder tabled the plan; Approved 5-0.***

**Cumberland Village IIB:**

This plan represents the second and final phase of the Cumberland Village development. This phase is located on the northwest side of Herrs Ridge Road near the intersection of Fairplay Road. The Preliminary Plan proposes 85 single family dwelling units and 1-HOA lot on approximately 29 acres.

The original preliminary plan for Cumberland Village Phase II is 189 units on approximately 107 acres in the Residential Zoning District using a 30% cluster overly design. Fairplay and Audubon Roads and Nuthatch Drive will be offered for dedication to the Township with the balance of the streets to remain privately owned by the HOA. The original preliminary plan was previously recommended for approval under the "prior SALDO" by the Planning Commission and subject to conditions of a KPI report dated January 17, 2008. Updated preliminary plans (Phase IIA and IIB) address current NPDES and stormwater management requirements. Plans for Phase IIA have been approved, infrastructure has been built, and home construction is underway.

The applicant's engineer Bob Sharrah was present to represent the applicant. Sharrah explained that this is the final phase of the Cumberland Village project. It is KPI's understanding that the number of waivers that were previously granted pertained to the entire site, they are included in the letter dated May 10, 2023 for reference. County comments have also not been received. Wisner asked Sharrah about the temporary cul-de-sac on the northern side of Audubon that impacts the one lot, is there going to be an agreement that the easement will terminate in the future? Wisner also asked about the temporary pumping station shown in the open space area, how long was this intended to be in use, does it go away? Will there be notes on the plan? Sharrah stated that notes can be added to the plan. Wisner also asked if there will be notes added about who is responsible for the decommissioning and removal of the temporary cul-de-sacs and what that looks like? Heine stated that she feels this plan would better be reviewed in the next month or two after a lot of the comments have been further addressed.

***Underwood/Finkenbinder tabled the plan; Approved 5-0.***

**Musket Ridge:**

The Preliminary Plan proposes 60 duplexes (120 units) on 37.3 acres and is located between Kinsey Drive and Chambersburg Road. Tallman suggested to the Commission that they review the Adams County comments. Wisner explained to the applicant's engineer, Bob Sharrah that this is a challenging site with challenging access issues. A traffic study needs to be updated and a lot of work needs to be done with the plan. Wisner stated that he felt a lot needed to be addressed before there was further discussion on the plan.

***Caudill/Kiefer tabled the plan; Approved 5-0.***

Public Comments: None

**General:**

The Zoning / Building Code Officer's Report was acknowledged for April 2023.

Steve Tallman announced to the Commission that he is resigning due to personal reasons.

There being no further business the meeting was adjourned at 6:55 P.M.

***Approved on a Tallman/Caudill motion; 5-0 vote.***

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