

CUMBERLAND TOWNSHIP PLANNING COMMISSION
Meeting Minutes of February 9, 2023
1370 Fairfield Road, Gettysburg, PA 17325

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

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

Minutes of the January 12, 2023 Regular Meeting: ***Approved on an Underwood – Finkenbinder motion; 5-0 vote.***

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

Active Business: None

New Business:

Oak Lawn Cemetery/County of Adams Rezoning Request: County of Adams Applicant is seeking a zoning map amendment to rezone the western portion of their property, approximately 9.6 acres of the 25.4 acre tract, from Institutional (INS) to Mixed Use (MX). The property is located at 1380 Chambersburg Road; Parcel number 09E12-0079---000. Chad Claybaugh with CS Davidson was present to represent the applicant. Claybaugh explained that the corners were set last week and they are working on the deeds to complete the subdivision process. The second step to the intent of the applicant is to change the western third of the property from Institutional to Mixed Use. He explained that the use for Institutional is very limited. The Mixed-Use zone offers the applicant many more approved uses.

The Commission noted that the Township is currently in the implementation phase of the comprehensive planning process and expect that a new zoning map will be forthcoming in the near future. These zoning designations may be changed slightly to match the designations in the comprehensive plan. Motion of Kiefer-Underwood recommend the Supervisors approve the request for the zoning map amendment; Approved 5-0.

Speranza Hangar: The plan proposes the addition of a 52' x 33' airplane hangar and associated 20' wide taxiway on the northwest side of the runway at the Gettysburg Regional airport. The hangar will adjoin an existing hangar via a breezeway and proposes stormwater management for both hangars. Disturbance of 0.22 acres is proposed for these improvements. Heine discussed the pending engineering comments. Heine explained that some minor zoning site data comments remain. Heine next discussed subdivision comments. Adjacent landowner's names and deed references should be added to sheet one on the plan. Heine requested that fewer contours be drawn on the plan, or the plan be enlarged. The owner's or equitable owner's acknowledgement will need to be executed. A note should be added to clarify that Mr. Speranza is the owner of the hangar structure, but the lessee of the land. An E&S Plan should be provided to the Conservation District to review. Further, recreation fees are required for the plan. Bonding is required for related improvements, stormwater installation and the as-

built plan submission. Finally, an executed copy of the lease agreement between SARAA and Mr. Speranza should be provided to the Township. Heine next discussed the Stormwater Management comments from review of the plans. She requested that construction notes for the stormwater depressions indicate that they should not be installed in wet or frozen soils. It is also recommended that the stormwater berm top width be wider than 1.5 feet, so that a riding mower can be used for maintenance. Heine also stated it should be shown that SARAA approves that proposed stormwater management for the hangar, because they will ultimately be responsible for the operations and maintenance of the facilities. Finally, the executed Stormwater Management Operations and Maintenance Agreement will need to be recorded and release of financial security will be subject to review and approval of the as-built plan.

Motion of Underwood – Caudill recommend approval of the plan by the Board of Supervisors, based on all outstanding engineering comments being addressed approved 5-0.

Artillery Ridge Campgroup Wastewater Treatment Plant: Artillery Ridge Campground proposes the replacement of an existing Wastewater Treatment Plant with a new plant with larger capacity. The new plant will be located directly beside the existing plant and will have the same point of discharge to an unnamed tributary of Rock Creek. The property is located at 610 Taneytown Road and is located entirely in the Village Mixed Use (VMX) zoning district. Chad Kehew from James R. Holley and Associates was present on behalf of the applicant. Heine stated that the only zoning comment remaining for the plan requests that the updated VMX District zoning requirements be reflected on the plans. The first Subdivision comment is a request of a waiver for submitting a separate preliminary plan.

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

Heine explained that the owner's acknowledgement needs to be signed. The applicant will need a PA DEP Part 2 Water Quality Management permit. Heine also requests that the applicant verifies that there are no wells within the required isolation distances. Approval from Adams County Conservation District will be required. More detailed information about the layout of the plant should be provided. Details of the abandonment of the existing treatment plant should be addressed, included with this request is that this area should also be included in the limit of disturbance. Kehew explained that the applicant is planning to remove the top of the current plant and fill in the remaining portion. The Commission has concerns with Kehew's current plan and have requested confirmation of DEP abandonment regulations. Kehaw confirmed the question about capacity of the existing and proposed plant, stating that the current plant has capacity of 5,800 gallons per day, while the new plant will have a capacity of 20,000 gallons per day. Financial security will be required, and a cost estimate should be provided for review. A Solicitor approved Development Agreement is required. Requirements for financial security, inspection, as-built plans and assurance of long term Operations and Maintenance and Maintenance Security should be addressed in conjunction with the Development Agreement. Also, any current or proposed contact with a certified operator should be attached and referenced and listed in the agreement with the Township. Finally, the Stormwater Management comments were discussed. A stormwater management plan and a report with a brief narrative should be provided. The plans should clearly indicate current/proposed impervious areas and address if the new plant will have covered portions.

Motion of Finkenbinder – Caudill recommend the Supervisors approve the plan, contingent on engineering comments being addressed and confirmation of DEP abandonment regulations; Approved 5-0.

Heine reviewed the Sewage Facilities Planning Module Component 4A (Municipal Planning Agency Review) with the Commission.

Motion of Kiefer – Finkenbinder approved submission of the Municipal Planning Agency sewage planning module (4A); Motion approved 5-0.

Half Pint Creamery: This plan proposes the combination of three Mixed Use lots on a 1.48 acre lot, into one lot, demolition of one residence and construction of a Retail Building and associated parking. Access is proposed from the Biglerville Road and Cambridge Court from the proposed Cambridge Crossing development. The applicant's engineer Bob Sharrah was present. Heine discussed the Zoning Ordinance comments with the Commission. The first comment addressed the need for building setbacks being shown on the plan and a note that expansion of any pre-existing non-conforming residences are subject to zoning ordinance requirements. Also, parking space tabulation/calculations are required. Next, Heine discussed the Subdivision Ordinance comments. Two waivers are being requested by the applicant. This first waiver requests the requirement to submit a separate Preliminary Plan by waived.

Motion of Finkenbinder - Caudill in favor of requesting the waiver of submitting a separate preliminary plan; Approved 5-0.

The second waiver requested is to allow a slope greater than 10% within 20 feet of a property line. Heine noted to the Commission that the Township typically requires a release from the impacted property owner.

Motion of Tallman - Underwood denying the requested waiver unless an agreement/release can be obtained from the impacted down sloping neighbor; Approved 5-0.

Heine continued by stating that the owner's or equitable owner's acknowledgement needs to be executed. The engineer requests that the plan should be re-titled to reflect the Lot Combination. The plans need to be submitted to both CTA and GMA for approval. The date of the wetland delineation, a site lighting plan and an approved Erosion Control Plan/NPDES permit will all be required. Authorization including an O & M Agreement from the owner of Cambridge Court is required for the proposed connection to the property. Cartway and right-of-way widths for Biglerville Road and Cambridge Court should be labeled. A Highway Occupancy Permit and a copy of the HOP Plan should be provided to demonstrate the geometry, sight distance, etc. or adequate. Heine requests that any comments from the Township Traffic Engineer must be addressed. The proposed sidewalk along Biglerville Road should be contained within an easement; Heine also asked that the applicant clarify if the sidewalk will remain across the Cambridge Court access. A deed of consolidation needs to be provided for review. The fire company needs to review the plan. This plan is subject to recreation fees. An estimate should be submitted for the required Financial Security. Finally, a Development Agreement required by the Solicitor must be executed. Heine didn't feel it was necessary or useful to address all the Stormwater Management comments.

Motion of Kiefer - Finkenbinder recommended the Supervisors approve the Half Pint Creamery Lot Combination and Land Development Plan pending the engineering comments being addressed and consideration of the Commission's request for outdoor dining protection being added; Approved 5-0.

BR Smith Properties Planning Module: The plan proposes the re-development of the former Boyd's Bear property located at 75 Cunningham Road. The plan includes reopening of the restaurant and conversion of the barn into a 68-unit hotel. Future phases will include development of adjoining properties. The submitted Component 3 Sewage Planning Module breaks down development into three phases. Phase one consists of reopening the restaurant and the conversion of the former barn into a 68-unit hotel. Proposed sewage disposal is to utilize the existing aerated holding tank system, located on the property. Estimated total sewage flows are 36,600 GPD. Phase two consists of 283 residential units. Phase two will include a sewage pump station and construction of a new 150,000 GPD wastewater treatment plant and stream discharge to Marsh Creek on the former Alloway Group property. Estimated total sewage flows are 150,000 GPD. Phase three consists of an additional 375 residential units (or the equivalent commercial flows). The wastewater treatment will be expanded from 150,000 to 300,000 GPD. Estimated total sewage flows are 300,000 GPD. Heine explained that reference should be made to the drawings/plans contained in the module package. Heine stated that KPI did a full review of the entire module, engineering comments one through thirteen do not need reviewed at this time because this is not something that the Commission will be recommending to the Board. The current goal is to discuss engineering comment fourteen with respect to the Sewage Facilities Planning Module Component 4A (Municipal Planning Agency Review). The Module is to be completed by the Township Planning Commission.

Heine reviewed the Sewage Facilities Planning Module Component 4A (Municipal Planning Agency Review) with the Commission.

Motion of Caudill - Kiefer approved submission of the Municipal Planning Agency sewage planning module (4A) provided all the outstanding engineering Module package comments being addressed; Motion approved 5-0.

Public Comments: None

General:

There being no further business the meeting was adjourned at 7:40 P.M.

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

Submitted by: _____ Camie Stouck-Phiel, Treasurer