

Hamilton Township Planning Commission

Regular Meeting Minutes
10/18/2022

Meeting was called to order at 7:00 PM by Chair Mel Lebo.

Members Present: Mel Lebo, Ira Bitner, Lela Reichart, Ronald L. Weidner, Alternate Susie Kaiser.

Absent was Christine Myers and Alternate Stephanie Egger.

Also Present: Assistant Secretary Jessica Baim, Chad Clabaugh P.E., of C.S. Davidson, Inc., and Rob Thaeler on behalf of Andrew Merkel of ACOPD.

Motion to adopt the agenda as presented: Mel Lebo presented the agenda to the Planning Commission and asked if there were any questions or concerns. *Ira Bitner made a motion to approve the current agenda with a second by Ronald L. Weidner. Motion carried unanimously.*

Minutes:

The minutes dated 9/20/2022 for the regular meeting, *A motion to approve was made by Ronald L. Weidner with a second by Lela Reichart. Motion carried unanimously.*

New Business:

- A. Affordable Pet Supply: Mel Lebo informed the Planning Commission that this land development plan lays within three townships. The building will be in Abbottstown Borough, and stormwater will be in Berwick Township. There is no land disturbance within Hamilton Township. *A motion to recommend the Board of Supervisors defer this plan to Abbottstown Boroughs' for review and sign off if signatures are required by Hamilton Township was made by Ira Bitner with a second made by Ronald L. Weidner. Motion carried unanimously.*
- B. K-Hill Enterprises, LLC.: Susie Kaiser presented her land development plan which will create four new single-family lots and two add ons. One to her property and one to the neighbors, making the property lines cleaner. *A motion to accept the plan for review was made by Ronald L. Weidner with a second made by Lela Reichart. Motion carried unanimously.*

Old Business:

- A. Redding Properties: Larry Redding, and Phil Redding present. Mel Lebo explained that the Township Solicitor after review with Mr. Minnich and the plan, recommends the Planning Commission reject this plan. Phil Redding informed that they prefer the Township tables this plan as they are working to make this meet the Ordinances and the Township should have received some correspondence with answers to the ten questions that were included in the original letter to Redding Properties. Phil Redding informed they are looking to have set up as a hotel with a foyer and check in/out desk. Phil Redding indicated they do have apartments, but this will be a new adventure for them and apologizes for any miscommunication. Phil Redding indicated the Township Ordinance does not exclude the definition of Transient Hotel. Ronald L. Weidner reviewed that this plan should be rejected, and the Township will go off the advice of the Solicitor. Mel Lebo reviewed if the plan was rejected then the difference would have new submittal fee's once new plan is provided. They would be out \$2500.00. Lela Reichart asked if the Redding's would answer the ten questions at the meeting? Phil Redding informed he would

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answer them at the same time he did get the questions from his lawyer on October 14th and responded back with the answers to his lawyer on October 17th to respond to the Township Solicitor. Jessica Baim questioned if they had received the invoice of fee's associated with this plan? Phil Redding indicated he has not received any to date. Mel Lebo voiced the fact that this cannot be an apartment building and a new plan will need to be submitted. *A motion to table was made by Mel Lebo since correspondence was outstanding with a second made by Ira Bitner. Ronald L. Weidner voted no. Motion carried.*

- B. Sorenson Subdivision: Clark Craumer present. Chad Clabaugh reviewed the comment letter dated October 5, 2022. Three items still outstanding; 1. The property concerns have been added to the plan, but no survey was done, need to do through the deeds, a waiver or the property surveyed. 7. A DEP non-building waiver will be submitted. 8. A new deed will be provided for the new lots 4 and 5 prior to final approval. Chad Clabaugh P.E. of C.S. Davidson recommended a conditional approval based on all three items completed by November 7, 2022, the Board of Supervisors meeting. *A motion to recommend a conditional approval to the Board of Supervisors was made by Ira Bitner with a second made by Ronald L. Weidner. Motion carried unanimously.*
- C. Lighting: Mel Lebo asked if there were any questions about this and expressed how well this was written. Ira Bitner informed a misspelling on page 9, D.1, Rob Thaeler of ACOPD informed will have Andrew Merkel of ACOPD to make the correction. *A motion to recommend to the Board of Supervisors to have the Township Solicitor review and comment was made by Ira Bitner with a second made by Ronald L. Weidner. Motion carried unanimously.*
- D. Estate Lot Review: Mel Lebo asked if there were any questions. Mel Lebo questioned 150-23 showing Rural Events as a principal use should be conditional? Rob Thaeler from ACOPD informed no principal use of the property but the conditional use is the way the use is approved through the Zoning Ordinance. Rob Thaeler of ACOPD indicate the wording is correct. Ira Bitner questioned section 150-22 about shooting range is that for a commercial or residential use? Scott Weaver confirmed that is for commercial use and has residential use located under a difference Ordinance. Rob Thaeler of ACOPD will inform Andrew Merkel that the highlighted items will remain within the sections and to correct letter to complete the Ordinance. Andrew Merkel of ACOPD will then send the draft to the staff. Mel Lebo suggested Rural Events be added to the agenda for November to have within other zoning area for example the Adams County Fairgrounds. Lela Reichart said she would be interested County wide how this is being handled. Rob Thaeler of ACOPD said in other Township's they have differentiated between event uses versus accessory uses. For example, in a Rural event venue there are some provisions that would allow Rural event venue to occur on a farm with limits and this purely is a accessory to the farm. *A motion was made by Ira Bitner to recommend the Board of Supervisors forward to the Township Solicitor for review and comment with a second by Ronald L. Weidner. Motion carried unanimously.*
- E. Stormwater Ordinance: Solicitor is reviewing.

Pending Review: Add Rural Event -Zoning review for November agenda.

Ordinance Amendment Status/Completion: No changes

Adams County Planning & Development Comments: None

Township Engineer's Comments: None

Township Supervisors Comment: None

Members Comments: None

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Public Comments: Resident located on Peepytown Road trying to sell property and needs to discuss floodplains and allowable building/buildings. Chad Clabaugh P.E., of C.S. Davidson to discuss options after Planning Commission meeting. Donna Vacek commented she thinks it is interesting how Redding Properties keeps changing terminology.

Zoning Officer: None

*A motion was made by Ronald L. Weidner to adjourn the meeting at 8:00 PM; with a second by Ira Bitner. **Motion carried unanimously.***

Respectfully submitted

Jessica Baim
Assistant Secretary