

Hamilton Township Planning Commission

Regular Meeting Minutes

3/15/2022

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

Members Present: Ira Bitner, Mel Lebo, Christine Myers, Lela Reichart, Ronald L. Weidner, Alternates Stephanie Egger, and Susie Kaiser.

Also Present: Assistant Secretary Jessica Baim, Chad Clabaugh P.E., of C.S. Davidson, Inc., and 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 2/15/2022 for the regular meeting, were presented for approval. *A motion to approve was made by Ira Bitner with a second made by Lela Reichart. Motion carried unanimously.*

New Business:

- A. Rob & Dana Taylor: Sketch plan for 297 Winding Lane: Robert Taylor stated they purchased the Mummert Farm with the intent of having weddings within the current barn on the property with keeping the property authentic. Robert Taylor explained that they are not looking to go fully commercial and that they feel that this property is like the Hazelwood event center located on Old Mill Road which did not require a traffic study or had to improve the roadway. The current handout is a conceptual drawing of the property. Robert Taylor stated the property is currently farmed and will remain an active farm by Byron Wagner. Mr. and Mrs. Taylor are also planning on making this property their home, so they are hoping to offer this property from Friday to allow set up with the event being held on Saturday to be ending around 10:30 PM and Sunday to be cleaned up day only. They are projecting 250 max capacity and looking to call it "Wildflower on Winding". They are not planning on having other events but there is a possibility for senior pictures. They want to keep the current barn with little improvements. They are aware that the property will need to meet ADA standards, but the plan is using the impervious grass parking area with guideline marking for parking spots. With the option of shuttle buses for the events to cut down on cars. Chad Clabaugh P.E, of C.S. Davidson is concerned that this does not create a liability for the Township due to the roadway, or any possible safety concerns. One option other than the roadway widening is the fee-in lieu of to cover repairs within the Township roadways. Chad Clabaugh P.E., of C.S. Davidson suggested obtaining an engineer to verify the roadway width is at least 16 feet. Chad Clabaugh P.E., of C.S. Davidson specified that if they elect to have him perform the review, he is the Township engineer on record so he works for the Township, and they will be billed through the Township. *A motion was made by Ronald L. Weidner to make a recommendation to the Board of Supervisors to have C.S. Davidson provide an estimate cost of*

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street review to Mr. and Mrs. Taylor with a second made by Ira Bitner. Motion carried unanimously.

- B. Jeremy & Jayme King Subdivision: Chad Clabaugh P.E, of C.S. Davidson discussed a few of his comments from his comment letter dated March 15,2022. Comment number 2. Section 120-14. A (26) requires existing tree masses, buildings, or structures, (including the location of wells, springs, and on-site sewage facilities for such buildings or structures), public facilities, and any other man-made or natural feature within or near the property proposed for subdivision or land development be shown. The existing tree mass located at the north side of Lots 5 & 6 where it adjoins Lot 1 should be shown. Neighboring well and/or septic systems for the Harner/Sneeringer property to the west of lot 5 and the Aumen and Nu-Ox Rod & Gun Club east of lots 6 should be shown on the plan to ensure isolation distance requirements for facilities on these new lots can be met. It is recommended that a suitable location for the proposed well (and 100- foot isolation distance circle) for each new lot be shown on the plan. Chad Clabaugh P.E., of C.S. Davidson expressed concern that it may not be possible to form two lots based on this requirement and suggested to have the well done first to make sure the plan may not need to be reworked. Comment number 5: Section 120-14. B (4) & (6) requires stormwater management and grading plans be provided. It would be appropriate to defer this requirement until the building permit stage for this project so that it can be designed around actual house/drive to be built. However, we recommend a note be added on the plan to this effect and a location be shown on the plan that would be a suitable site for the stormwater facility demarked with an oval or rectangle. Comment No. 7: We acknowledge that separate review will be provided by Oxford Township regarding Development Rights for this Subdivision. Jeremy King informed that Mr. Craumer was already working on the comments, and he feels that Oxford Township will be fine as he is a member of the Planning Committee. Andrew Merkel of ACOPD explained his comment letter dated March 15, 2022. The only comment he wanted to address is the plan shows a 20-foot easement along the eastern side of lot 6. Andrew Merkel of ACOPD verified with Mr. King that the easement exists now and that when the deeds are recorded that the easement will be included. All the remaining comments coincide with Chad Clabaugh P.E., of C.S. Davidson review letter. *A motion to table till all the comments have been addressed was made by Ronald L. Weidner with a second made by Ira Bitner. Motion carried unanimously.*
- C. Estate Lot Review: Andrew Merkel of ACOPD presented several handouts. One handout was just a review of suggested adjustments to the current Ordinances that he is working on with neighboring Townships. The second handout reviewed the Rural Resident (RR) District Ordinance sections 150-19 through 150-27. Andrew Merkel of ACOPD reviewed in section 150-20 the need to update Cluster option which involves other areas of the RR Zoning District. Section 150-21 should be located within another section. There is also conflict from section 150-21.3 and section 150-26. Need to add Veterinary/animal Hospital, Cemetery, Farm Equipment Sales, Kennel, and Small Wireless facilities, per Act 50 of 2021. Andrew Merkel of ACOPD suggested to consider revamping the list of uses into a cleaner order. Example: Agribusiness operation, Agricultural operation (i.e., crop, pasture, and grazing land only, no dwelling), farms (i.e. land and residence, farms, excluding Agribusiness operations, horticulture (nurseries and greenhouses)), and orchards. Break down section 150-21. B; Agri-tourism enterprise as a Principal Use or Accessory Use to a farm or Agricultural operation. Rural events venue as a principal use rather than special exception which refers back to section 150-23.4 eliminate in favor of the following structure: Single-family detached dwellings (minimum 1Ac; Maximum 9.99

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Ac.), Farm (minimum 10 Ac.), (documentation of farming activity), and Agricultural operation (no minimum or maximum) (No resident permitted). One option to tie in the single-family dwelling based on soil types which would eliminate estate lots and open space. Another option is adjusted tract approach which is used in multiple municipalities. This has a list of constrained lands which are undevelopable items included are right-of-way, streets, floodway, floodplains, slopes, streams, and wetlands. A person would factor all these out of the tract of land first and would include a table to calculate. The outcome would provide how many units could be made out of the tract of land. This technique is more growth oriented which is conservation by design. This technique is used when seeing high growth but want to retain what open space/ property is available with allowing some density of some sort. Andrew Merkel of ACOPD suggested going with this direction if removing estate lots. This would still preserve the intent of the RR district. The multiplying factors can be adjusted to whatever the Township would like. Andrew Merkel of ACOPD suggested the rest of section 150-21 just needs reworked, updated, and explained. For example, Bed and Breakfast, cottage industries, and accessory dwelling uses moving them by right and out of special zoning request. Add tasting room/winery/cidery/brewery/distillery. Andrew Merkel of ACOPD and Chad Clabaugh P.E., of C.S. Davidson reviewed the "Clean and Green" rule being a tax break at ten acres or two acres showing \$2,000.00 or more revenue yearly after three consecutive years of revenue. Donna Vacek wanted to know why the Township is reviewing the Estate lots. Mel Lebo informed that the Township needs to stay up to date and was asked by residents to review. Ronald L. Weidner expressed he would like to keep the Township rural and is not sure if the rest of the board feels the same before digging into this topic. *A motion to table till next month was made by Ira Bitner with a second made by Ronald L. Weidner. Motion carried unanimously.*

Old Business:

- A. Pine Run Phase III- No Representative present. *A motion was made by Ira Bitner to table till next month with a second made by Ronald L. Weidner. Motion carried unanimously.*
- B. Lighting- Andrew Merkel of ACOPD informed nothing to report. *A motion to table till next month was made by Ronald L. Weidner with a second made by Ira Bitner. Motion carried unanimously.*
- C. HOA: Andrew Merkel of ACOPD presented a handout that was prepared based off the November 2021 Planning Commission suggestions. This included adding the definitions section 120-6, which was pulled from the Planned Communities Act. The word common is for everybody versus limited which is for a certain subset. Adding to section 120-42. A. Subdivision or Land Development plans involving twelve (12) or more units shall form a HOA that is responsible for the ownership and maintenance of common elements and/or limited common elements, including but not limited to: 1. Stormwater management facilities, including collection and conveyance facilities. 2. Signage, lighting, landscaping, gates, walls, and fences located in common areas. 3. open space. 4. Streets and roads, including curbs. 5. Sidewalks? 6. Water supply and wastewater treatment facilities and lines. 7. Fire hydrants. 8. Traffic signals. Discussion was had adding the word "dwelling" to 12 or more units. Chad Clabaugh P.E., of C.S. Davidson suggested that a number nine be added to cover all private utilities. Andrew Merkel of ACOPD explained the reason twelve was selected for the trigger was based on Uniformed Community Plans Act, section 51-02.1. The Planning Committee agreed that sidewalks should be included in the list as this could cover condo situations. Discussion was had on how many times to require the minutes and financial reports be provided to the Board of Supervisors. The

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outcome was twice a year standard with a qualifier if the Board of Supervisors require more often. Mel Lebo suggested reviewing everything and come back next month with comments. Andrew Merkel of ACOPD will rework language with comments from March meeting. *A motion to table till next month was made by Ronald L. Weidner with a second made by Ira Bitner.*
Motion carried unanimously.

New Ordinance/Amendment Status: None

Pending Review: None

Ordinance Tracking Sheet: None

Adams County Planning & Development Comments: Andrew Merkel of ACOPD expressed that Lot additions are not being recorded correctly. There is a disconnect between the plan and the deeds, do not reference the additional lot on both. Stephanie Egger and Chad Clabaugh P.E., of C.S. Davidson reviewed Hamilton Township requires plans and deeds be submitted and reviewed through the Township to verify everything is done correctly.

Township Engineer’s Comments: None

Township Supervisors Comment: Ronald L. Weidner informed he was trying to keep this Township rural compared to other neighboring Townships which drives up the cost of school taxes.

Members Comments: None

Public Comments: Ryan Groft and Donna Vacek informed they want the Township to remain rural.

Zoning Officer: None

*A motion was made by Ronald L. Weidner to adjourn the meeting at 9:00 PM; with a second by Ira Bitner. **Motion carried unanimously.***

Respectfully submitted



Jessica Baim
Assistant Secretary