

Hamilton Township Board of Supervisors
Regular Meeting Minutes
Monday, March 2, 2020

CALL TO ORDER: The meeting was called to order at 7:00 pm with the Pledge of Allegiance by Stephanie A. Egger.

Supervisors present were Ronald L. Weidner, Timothy D. Beard, III and Michael A. Strausbaugh. Also, present were: Solicitor, Ronald Tomasko, from the firm of Tomasko and Koranda P.C.; Chad Clabaugh P.E. of C.S. Davidson, Inc.; Parliamentarian Stephanie A. Egger; Roadmaster Tom Barrows and Secretary Hannelore Furst.

APPROVAL OF MINUTES:

Upon review of the meeting minutes, Michael Strausbaugh requested a change under Supervisor's Comments. He stated he said by "mail", not email, and add fire company after Kevin Moul's name in the second sentence. *A motion was made to accept the February 3, 2020 minutes as amended, by Timothy D. Beard, III, with a second by Michael A. Strausbaugh. Motion carried.*

PUBLIC COMMENTS: None

OLD BUSINESS:

1. SPCA Collection: We continue to collect items for the Adams County SPCA for the care of the animals at the shelter.
2. The Township continues to collect glossy paper magazines, glossy newspaper inserts, etc. for the Ronald McDonald House.
3. Bridge Update: Ronald L. Weidner stated they are still waiting for the engineer to give the specifications for the piers on the bridge. He mentioned there is a bridge like they are proposing on Admire Road.

NEW BUSINESS:

1. State Police: Stephanie A. Egger read the report for the month of December 2019 and January 2020. There was a total of forty-one incidents in December and thirty-seven incidents in January.
2. Northeast Adams Fire Co. #32-FIRE: Stephanie A. Egger read the report for the month of February. There was a total of seventy-nine calls, which there were four in Hamilton Township.
3. Northeast Adams Fire Co. #32- EMS: Stephanie A. Egger read the report for the month of February. There was a total of twenty-five calls, which there was one in Hamilton Township.
4. United Hook & Ladder Co. No. 33: No report
5. Adams Regional EMS, Inc.: Stephanie A. Egger read the reports received from the Adams County EMS, Inc. for the month of January. There were a total 653 calls of which ten were in Hamilton Township.
6. Authorization for Solicitor to proceed with a Sheriff Sale: —*A motion was made by Ronald L. Weidner and a second by Timothy D. Beard, III; authorizing Solicitor Ronald Tomasko to proceed with the Sheriff Sale on the*

David Lease property at 1145 The Spangler Road. This will allow the Township to recover fines and funds for the several years of no effort by Mr. Lease to pay these funds. **Motion carried.**

7. Opening of Bids: Stephanie A. Egger opened and read the sealed stone bids for the one-year contract-June 4, 2020 to June 4, 2021. After a brief discussion, *A motion was made by Ronald L. Weidner to accept Vulcan's bid of \$22,120.00 as the low bidder; with a second by Michael Strausbaugh.* **Motion carried.** (See chart)

Vulcan Materials	Quantity	Description	Unit Price FOB Plant	Total	Unit Price Delivered at Job Site	Total
	100 TN	# 4 Ballast	9.90	990.00	12.95	1295.00
	1,000 TN	#2 Aggregate	5.60	5,600.00	8.65	8650.00
	200 TN	#8 Stone	12.50	2,500.00	15.55	3110.00
	200 TN	Aashto 10 Screenings	9.90	1,980.00	12.95	2590.00
	500 TN	No. 57 Clean	9.90	4,950.00	12.95	6475.00
	TOTALS					22,120.00

York**Building Products**

	Quantity	Description	Unit FOB	Total	at Site	Total
	100 TN	# 4 Ballast	9.55	965.00	14.05	1405.00
	1,000 TN	#2 Aggregate	6.00	6000.00	10.40	10400.00
	200 TN	#8 Stone	13.85	2770.00	18.25	3650.00
	200 TN	Aashto 10 Screenings	9.65	1930.00	14.05	2708.00
	500 TN	No. 57 Clean	4825.00	4825.00	14.05	7025.00
	TOTALS					25,290.00

New**Enterprise**

	Quantity	Description	Unit FOB	Total	at Site	Total
	100 TN	# 4 Ballast	11.50	11500.00	16.05	1605.00
	1,000 TN	#2 Aggregate	8.75	8750.00	13.50	13300.00
	200 TN	#8 Stone	14.25	2850.00	18.80	3750.00
	200 TN	Aashto 10 Screenings	9.00	1800.00	13.55	2750.00
	500 TN	No. 57 Clean	11.50	5750.00	16.05	8025.00
	TOTALS					29,400.00

8. FYI-State Police Service Tax-Governor Wolf is proposing a "fair share police service fee". Information was disbursed to the residents concerning this issue and requested the residents to contact their representatives to let them know they are against this proposal.

9. Stephanie A. Egger presented the Board with Resolution # 2020-37. This resolution for approval of work time lost, reimbursement payment to a supervisor not employed by the Township to attend the PSATS Conference. There was a brief discussion on payment to Mike for attending the conference. Mike stated he will be using loss time at work and will not be getting paid from his employer. The Board of Supervisors approved 100% of lost wages to be paid to Michael Strausbaugh for attendance for two days at PSATS Conference held May 4 & 5, 2020. *Ronald L. Weidner made the motion to accept Resolution # 2020-37; with a second by Timothy D. Beard, III.* **Motion carried.**

RECESS OF THE GENERAL MEETING----7:34 PM

OPEN THE PUBLIC HEARING REGARDING ZONING AMENDMENTS:
Public Attendance-20 residents

1. Zoning Ordinance Amendments §150-44. A, 150.56, 150-58, 150-98. G,150-98.CC

Amend §150-44. A to add the following (R-3 District-Area and bulk requirements)

- (2) Where an applicant proposes a cluster development, the maximum density for the Residential development shall be four (4) dwelling units per acre.
- (4) Where an applicant chooses to develop a cluster development, the maximum density for the residential development shall be applied to the total acreage remaining after the required cluster development open space has been removed.

Amend §150-56 to remove the following (MU District-Uses by Special Exception)
S. Townhouse community.

Amend §150-56 to add the following. (MU District-Uses by Special Exception)
T. Cluster Residential Development, pursuant to §150-98

Amend §150-58 to read as follows (MU District-Area and Bulk Requirements)

§150-58. Area and bulk requirements.

The following standards shall govern all uses, subdivision projects, and land development plans Within the MU District:

A. Maximum density.

1. The maximum density for any residential development within the MU District shall be 1 ½ dwelling units per acre.
2. Where an applicant proposes a cluster development in accordance with the standards established by §150-98 of this chapter that involves two or more dwelling unit types, the maximum density for the residential development shall be three (3) dwelling units per acre.
3. For developments with two or more dwelling unit types that contain 10 or more proposed dwelling units, each dwelling unit type shall comprise a minimum of 25% of the total number of proposed dwelling units.
4. Where an applicant chooses to develop a cluster development, the maximum density for the residential development shall be applied to the total acreage remaining after the required cluster development open space has been removed.

B. Minimum lot size.

- (1) The minimum lot size for any use utilizing on-lot sewage disposal and/or on-lot water systems shall be one acre.
- (2) The following minimum lot sizes shall be required where public sewer and water service is provided.
 - (a) 40,000 square feet for nonresidential uses
 - (b) 20,000 square feet for single-family detached dwellings.
 - (c) 15,000 square feet per unit for single-family, semi-detached dwellings or two-family dwellings.
- (3) For cluster development proposed in accordance with the standards established by §150-98 of this chapter, the minimum lot size shall be as follows:
 - (a) 10,000 square feet for single-family detached dwellings.
 - (b) 6,500 square feet per unit for single-family, semi-detached dwellings or two-family dwellings.

C. Minimum lot width.

- (1) The minimum lot width for any use utilizing on-lot sewage disposal shall be 200 Feet.
- (2) The following minimum lot widths shall be required where public sewer service Is provided:

- (a) The minimum lot width for nonresidential uses shall be 200 feet, measured at the road right-of-way line. Where shared access driveways for nonresidential uses are proposed to provide access to adjoining lots, the minimum lot width for nonresidential uses may be reduced to 150 feet.
- (b) 125 feet for single-family detached dwellings
- (c) 90 feet per dwelling unit for single-family, semi-detached dwellings or two-family dwellings

- (3) For cluster development proposed in accordance with the standards established by §150-98 of this chapter, the minimum lot width shall be as follows:

- (a) 75 feet for single-family detached dwellings
- (b) 50 feet per dwelling unit for single-family semi-detached dwellings or two-family dwelling

D. Front yard.

- (1) The minimum front yard depth shall be 30 feet.
- (2) For cluster residential developments proposed in accordance with the standards established by §150-98 of this chapter, the minimum front yard depth shall be ten (10) feet.

E. Side yard.

- (1) The minimum side yard setback shall be 25 feet. In instances where parking facilities and/or access driveways are shared by adjoining nonresidential uses, the side yard setback requirements between the adjoining uses may be reduced to ten (10) feet.
- (2) For cluster residential developments proposed in accordance with the standards established by §150-98 of this chapter, the minimum side yard depth shall be ten (10) feet.

F. Rear Yard.

- (1) The minimum rear yard depth shall be 25 feet.
- (2) For cluster developments proposed in accordance with the standards established by § 150-98 of this chapter, the minimum rear yard depth shall be 15 feet.

G. The maximum impervious lot coverage shall be 40%

H. The maximum building height shall be 35 feet.

Amend §150-98. G to read as follows(Performance standards for specific uses)

§150-98. G. Cluster residential development

- (1) These requirements shall be applied to proposed residential developments within The R-1 Low Density Residential District, the R-3 Moderate Density Residential District and the MU Mixed Use Corridor District.
- (2) The minimum area for a cluster residential development shall be (10) acres.
- (3) Cluster residential developments shall be provided either with public sewer or public water, or shall be provided with an alternative sewage treatment system, such as spray irrigation and artificial wetlands, approved by the Pennsylvania Department of Environmental Protection, and for which a permanent maintenance agreement is legally approved between the Hamilton Township Supervisors, the developer, and any homeowners' association which is created to manage such facilities and the open space areas that result from a cluster residential development.
- (4) Permitted dwelling unit types for cluster residential developments within the R-1 Low Density Residential District include single-family detached dwellings.
- (5) Permitted dwelling unit types for cluster residential developments within the R-3 Moderate Density Residential District include single-family detached dwellings, single-family, semi-detached dwellings (twins), two-family dwellings (duplexes), and townhouses.
- (6) Permitted dwelling unit types for cluster residential developments within MU Mixed Use Corridor District include single-family detached dwellings, single-family, semi-detached dwellings (twins), and two-family dwellings (duplexes). Cluster residential developments within the MU Mixed Use Corridor District shall include two or more dwelling unit types.
- (7) A minimum of 50% of the parcel proposed for cluster residential development shall be preserved as open space in accordance with the standards established by this section.
- (8) In return for the permanent preservation of open space within the cluster residential development, the applicant may increase the density of the proposed development in accordance with the standards established in §150-32A(2), §150-44A(2), and §150-58.A(4) or §150-58.A(5).
- (9) Townhouses proposed within a cluster residential development shall comply with the Townhouse Community standards established in §150-98.

Amend § 150-98.CC to read as follows

(Townhouse Community requirements)

§150-98.CC Townhouse Community

- (1) The minimum parcel size for a townhouse community project shall be one acre.
- (2) The maximum number of attached dwelling units in any townhouse structure shall be six dwelling units.
- (3) Any townhouse structure containing four or more dwelling units shall be designed such that the front façade of each dwelling unit is staggered by a minimum differential of two feet from each adjoining dwelling unit.
- (4) A townhouse community perimeter setback of 30 feet shall be established. All structural and parking lot improvements shall be subject to the perimeter setback.
- (5) Parking areas shall be located either to the rear of individual townhouse buildings or in common parking areas. Under no circumstances shall parking be permitted within the required setbacks along the perimeter of the townhouse community project, nor shall be permitted in the front yards of individual townhouse structures.
- (6) A designated open space or recreation area shall be provided for any townhouse project site in excess of 12 units. The minimum open space or recreation area shall contain 300 square feet for each dwelling unit. Where townhouses are proposed as part of a cluster residential development, the open space requirements of §150-98. G and §150-98.H shall take precedence.
- (7) The minimum separation between townhouse buildings shall be 30 feet. Townhouse buildings shall be arranged, to the maximum extent possible, such that the front and rear facades of adjacent buildings do not face each other.
- (8) Architectural renderings shall be submitted with the special exception application depicting the architectural styles and materials to be used in the townhouse community. A minimum of two visually distinct exterior building materials (such as brick, vinyl siding, or wood) shall be used on each townhouse structure within a townhouse community.
- (9) Where permitted by special exception, a site plan must be submitted with the special exception application showing the interrelationships between the proposed structures, open space or recreation areas, sidewalks, streets, parking areas, landscaping, and other features necessary to evaluate the proposed site design.

Stephanie Egger asked if there were any questions: Deb Stake of 1352 Pine Run Road asked what the height of the townhouses could be. She was told 35 feet.

Approved and Adopted this day, March 2, 2020.
The Township of Hamilton Supervisors

2. Zoning Ordinance Amendments §150-5, 150-54, 150-98

Add to §150-5 (Definitions)

1. Fairground –An area of land, buildings and accessory structures used for temporary indoor or outdoor events including, but not limited to: festivals and exhibitions; fairs (with accompanying entertainment and amusements); entertainment venues; agricultural, horticultural, and animal shows; animal training and judging; carnivals; community meeting or recreational buildings and uses; food and beverages; and exhibitor booths and stands, games, rides, rodeos, and other customary accessory uses.

Amend §150-54 to add the following (MU District – By Right Use)

II. Fairground

Add to §150-98

MM. Fairground

1. General Standards for Fairgrounds

- A. The following uses shall be considered accessory uses to a fairground:
 1. Administrative and maintenance buildings associated with the fairgrounds.
 2. Agricultural, horticultural and animal related events.
 3. Auctions, fairs, festivals, exhibitions and trade shows
 4. Banquet and meeting facilities.
 5. Campgrounds, pursuant to **§150-98.**
 6. Festivals, expositions, events, and fairs and related structures.
 7. Food and beverage services, including banquets, catering and concessions.
 8. Live entertainment events and venues.
 9. Outdoor recreation.
 10. Retail Businesses, less than 3,000 square feet.
 11. Seasonal displays.

B. The following area and bulk requirements shall apply to a fairground as well as all permitted accessory uses associated with a fairground. Where these requirements conflict with other similar requirements elsewhere in this ordinance, the requirements of this section shall take precedent:

1. The minimum front yard setback shall be 30 feet.
 2. The minimum side and rear yard setbacks shall be 25 feet.
 3. The maximum impervious lot coverage shall not exceed 50%
 4. The maximum building height shall be 35 feet.
- C. All designated side and rear setbacks shall have a minimum of a 10' landscaping buffer that conforms to the requirements of **§150-118.H(6)**. Retention of existing trees on site shall be prioritized over new plantings where possible.
- D. Signage shall be provided in accordance with **Article XVI**. However, the following signs shall be permitted on a fairground in addition to the requirements in **Article XVI**:
1. On-site vehicle and pedestrian directional signs.
 2. On-site vendor signs not intended to be viewed from a public street advertising internal vendor location.
- E. Parking shall be provided in accordance with **Article XVII**.

Stephanie Egger asked if there were any questions: Deb Stake of 1352 Pine Run Road asked if this was pertaining to the present fairground area and she was told that this is the standard for any fairground proposed in the future. Michael Reichart of 850 Berlin Road asked if this would cover the church events on Berlin Road. He was told No; that is not a fairground; that is a park. He also questioned the event time limits. He was told that would be covered under the nuisance ordinance.

Approved and Adopted this day March 2, 2020
The Township of Hamilton Supervisors

THE PUBLIC HEARING ADJOURNED: 7:57 PM
RECONVENED REGULAR MONTHLY MEETING

10. Stephanie A. Egger presented the Board with Resolution # 2020-38. This resolution for appointing Stephanie A. Egger as Parliamentarian and establishing the responsibilities of the Parliamentarian pursuant to accepting the appointment. There was a brief discussion. *Ronald L. Weidner made the motion to accept Resolution # 2020-38; with a second by Timothy D. Beard, III. **Motion carried with one dissenting vote.***

11. Stephanie A. Egger presented the Board with Resolution # 2020-39. This resolution is to approve Stephanie A. Egger to attend a two-day Excel Training on May 6 & 7, 2020. *Timothy D. Beard, III made the motion to accept Resolution # 2020-39; with a second by Ronald L. Weidner. **Motion carried***

12. Stephanie A. Egger presented the Board with Resolution # 2020-40. This resolution is to accept the resignation of Paul Minnich as the East Berlin Area Community Center board representative. *Michael Strausbaugh made the motion to accept Resolution # 2020-40; with a second by Ronald L. Weidner. **Motion carried.***

13. Stephanie A. Egger reported the township is looking for a representative for the East Berlin Area Community Center board. If you are interested, please contact the township office.

14. Stephanie A. Egger presented the Board with a corrective measure to correct an Ordinance Number for the Planning Commission Ordinance. The correct renumbering should be Ordinance No. 2019-138. The original Ordinance 2017-137; AN ORDINANCE ESTABLISHING REQUIREMENTS FOR SEWER SERVICE FOR PROPERTIES SITUATED WITHIN THE EAST BERLIN AREA JOINT AUTHORITY SERVICE AREA was adopted December 4, 2017. *Timothy D. Beard, III made the motion to accept the corrective action with a second by Ronald L. Weidner. **Motion carried.***

15. Stephanie A. Egger introduced Melissa Goodwin, a representative from the board of the Cross Keys Community Park. She gave an update on the activities at the park and their plans. Also, Evan Batts spoke about the help from the community in getting things accomplished. It was stated that this park is having a

positive impact for the residents and their children. Ronald L. Weidner mentioned the Township committed to 50% of the expenses once the bill was presented. The township portion would be \$17,993.00. Evan asked if more money would be considered; since they are looking at erecting a building to store the park maintenance equipment. After a brief discussion, *Michael Strausbaugh made a motion to reimburse them for the entire bill of \$35,128.00; with a second by Timothy D. Beard, III. Motion carried.*

16. FYI-Stephanie Egger reported Route 94; between Brickyard Rd and Route 30; will be closed the weekend of Friday, March 6, 2020 beginning at 9 PM and reopening Monday, March 9, 2020 by 6 AM.

17. Stephanie Egger presented COG Resolution # 2020-01 Adams County COG in Support of Specific Action to Ensure Availability of Rural Broadband within the Commonwealth of PA. *A motion was made by Timothy D. Beard, III in support of the Resolution; with a second by Michael Strausbaugh. Motion carried.*

18. Stephanie Egger presented COG Resolution # 2020-02 Adams County COG in Support of Specific Action to Restore Allocations for the Volunteer Fire Relief Fund within the Commonwealth of PA. A motion was made by Michael Strausbaugh to table. There was no second. Michael Strausbaugh rescinded his motion. There was discussion on the dollar amount and how it got so high without someone doing something about it and the time frame involved for the municipality to investigate. *A motion was made by Timothy D. Beard, III in support of the Resolution; with a second by Ronald L. Weidner. Motion carried.*

19. Stephanie Egger presented two quotes for a new copier for the Zoning Office. Doceo quote was \$1,650; and Kyocera was \$989. *A motion was made by Ronald L. Weidner to purchase the Kyocera at \$989; with a second by Timothy D. Beard, III. Motion carried.*

Stephanie Egger informed the Board that the Liquid Fuel's allocation was received today in the amount of \$139,482.49; 20% of that would be \$27,896.50 is for road equipment and \$121,585.99 which includes the \$10,000 turnback is for Roadmaster's use, on road repairs.

Other business to come before the Board of Supervisors: None

PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF ACTIVE PLANS: None

COMMITTEE & DEPARTMENT REPORTS:

1. East Berlin Area Community Center (EBACC): Paul Minnich -resignation, No report.

2. Abbottstown Paradise Joint Sewer Authority: None

3. Parks and Recreation Committee: Ronald L Weidner stated the next meeting is April 14, at 7 PM.

4. Emergency Management: Timothy D. Beard, III reported he took a refresher course in Emergency Management. At the Township Emergency Management meeting they are setting up their system, doing mapping for gathering during emergencies and locating the child-care facilities and nursing facilities.

5. YATB & Tax Board Reports: Timothy D Beard reported that YATB-no meeting; ACTCC approved their budget and are still in need of a secretary.

6. Road Master's Report: Tom Barrows reported he worked on drainage along Woods Road, Cedar Road, and Old Mill Road. Storm clean up, sewer problem at township building; maintenance on backhoe & loader; and reported the salt sheds are full at this time. Tom Barrows presented a quote from ReCon for reclaiming Jacobs

Mill Road for \$18,900. *A motion was made by Ronald L. Weidner to accept the quote with a second by Michael Strausbaugh. Motion carried.*

7. COG: Stephanie A Egger read the February 27, 2020 report.

8. East Berlin Joint Authority: Ronald L Weidner reported they are still looking for money to repaint the water tower; and Kevin Moul came to their meeting last month to inquire about a possible intermunicipal agreement for the sewer operators.

9. East Berlin Library: None

Engineer's Report – Chad Clabaugh P.E. from C S Davidson Inc. presented the Board of Supervisors a report for the month:

1) Subdivision, Land Development, & Stormwater Plan Review

Pine Run Park-A revised plan was submitted for Phase 3 which is under review.

2) Land Development Under Construction

Sheetz-The stormwater basin fencing has been installed. The remaining \$7,598.80 in public improvements security will be released when vegetation is established and the NPDES permit is terminated in the spring/summer.

Solicitor's Report- Ronald Tomasko ESQ, of Tomasko, and Koranda P.C. presented the board a written report for the month of February. He reviewed the Zoning Amendment Ordinance that was acted on this evening, the 1962 contract for the Cross Keys traffic signal, floodplain ordinance, and David Lease issues.

Scott Weaver, Zoning Officer's Report – Stephanie A. Egger read the report from Pennsylvania Municipal Code Alliance, Inc. for the month of February. There were six zoning permits issued.

MOTION TO PAY THE BILLS:

Stephanie A. Egger presented the Board with a listing of the bills for February to be paid from the General Fund. *Ronald L Weidner made a motion to approve the bills as submitted, with a second by Michael Strausbaugh. Motion carried.*

PUBLIC COMMENTS:

- Dolores Long mentioned the tax bills were sent out.
- Ann Harman-requested a list of the people on the Emergency Management Committee.
- Harold Senter-made some comments about a gentleman being in a pit and work on something for 3 days at 160 Gun Club Road. He was told the property owner should call the police and report this. He also mentioned the burning of debris at 186 Gun Club Road. He questioned if the court order is still in effect. It was mentioned the court order was about the outdoor furnace and the smoke pollution.
- Joan Hoffman-She questioned if the builders are going to be able to build townhouses with the new amendments. She was told that with the amendments they could build them in the R-3 district, but not where she was thinking. She also mentioned the place on Cedar Road that has debris all around it and all the animals running loose. Ron Weidner stated the township is trying to deal with it.

SUPERVISOR COMMENTS:

Ron: Thank you for coming.

Tim: Thank you for coming. Don't forget St. Patrick's Day.

Mike: Thank you for coming and don't drink and drive.

Meeting Announcements:

Board of Supervisors, Monday, April 6, 2020, 7:00 pm

Parks and Recreation Board, Tuesday, April 14, 2020 7:00 pm

Planning Commission, Tuesday, March 17, 2020, 7:00 pm

Budget/Finance: Tuesday, April 28, 2020, 6:30 pm

Adjournment

Having nothing further to discuss, Ronald L. Weidner made a motion to adjourn the meeting. Timothy D. Beard, III second the motion. Meeting adjourned at 9:20 pm.

Minutes were recorded and transcribed by

Hannelore B. Furst

Interim Secretary, Hamilton Township