

Approved 1/21/2025

Hamilton Township Planning Commission
Regular Meeting Minutes
12/17/2024

The meeting was called to order at 7:00 PM by Chairman Mel Lebo.

Members Present: Mel Lebo, Ira Bitner, Ronald L. Weidner, Lela Reichart, and Christine Myers.

Also Present: Zoning Officer James Graham, Township Engineer Chad Clabaugh, Andrew Merkel, and Megan Carper, Secretary/Treasurer

Motion to Adopt the Agenda: *Ronald L. Weidner made a motion to adopt the agenda as written for Act 65, seconded by Ira Bitner. **The motion carried unanimously.***

Minutes: The regular meeting minutes of October 15, 2024, were presented for approval. *Ira Bitner made a motion to approve the minutes from the October 15, 2024 meeting, seconded by Ronald L. Weidner. **The motion carried unanimously.***

New Business:

- **O'Brien Subdivision:** A proposal was reviewed for the O'Brien Subdivision, which involves subdividing approximately a two-acre lot from a 72-acre farm for a family member. Discussion confirmed that the subdivision adhered to township requirements. *A motion to accept the O'Brien Subdivision Plan for review was made by Ronald L. Weidner, seconded by Ira Bitner. **The motion carried unanimously.***

Old Business:

- **Pennwood Products: Development Scope:** The proposed development involves subdividing three lots, with Lot 1 designated for a 100,000-square-foot warehouse to be used primarily as a distribution hub for Pennwood Products. The remaining portions of the development are in the early planning stages, with details yet to be finalized. The Planning Commission is currently reviewing the stormwater management plan to address runoff and downstream impacts. Concerns were raised about potential environmental effects, and additional information has been requested to ensure compliance with local and state regulations. *A motion to accept the Pennwood Products Plan for review was made by Lela Reichart and seconded by Ira Bitner. **The motion carried unanimously.***
 - **Pennwood Products Traffic Impact Study:** Township Engineer Chad Clabaugh presented the findings of the traffic impact study, which projects significant increases in traffic volume due to the proposed development. Lot 1, the planned warehouse, is expected to generate approximately 545 daily vehicle trips, including 47 daily truck trips. The full build-out of the development could result in over 6,000 average daily trips, encompassing traffic from warehouses, a convenience store, a daycare, professional offices, and other facilities. Key recommendations from the study include widening roads at critical intersections and implementing enhanced pedestrian safety measures. The Planning Commission discussed various potential solutions for traffic management, including traffic signals, roundabouts, concrete medians, and phased development triggers based on traffic volume increases. Roundabouts were favored due to their cost efficiency and traffic-calming benefits. A workshop will be scheduled with PennDOT, TRG, and relevant stakeholders to align the development plans with the necessary traffic impact mitigations. Megan Carper will draft a letter submitting Chad Clabaugh's comments and recommendations on behalf of the township to be submitted to PennDOT and the applicant. *A motion to approve the submission of Chad Clabaugh's comments on behalf of the township was made by Ronald L. Weidner and seconded by Ira Bitner. **The motion carried unanimously.***
- **Stormwater Management and Zoning Regulations (Pervious/Impervious Surfaces):** The Planning Commission reviewed ongoing updates to the township's stormwater management ordinance, focusing on aligning definitions and regulations across zoning and stormwater management frameworks. Andrew Merkel and Township Engineer Chad Clabaugh provided insights into proposed changes discussed during a recent meeting. The current ordinances contain inconsistent definitions for impervious surfaces and lot coverage, leading to varied

applications. The proposed revisions aim to standardize these definitions and integrate vegetative coverage concepts introduced during updates to the Agricultural and Rural zoning districts. These updates simplify the framework by ensuring all coverage types collectively equal 100%, establishing consistency across all zoning districts. The proposed changes include **Revised Definitions:**

- **Impervious Surface:** Aligns with the definition from the stormwater management ordinance, excluding a sentence specific to the permitting process that is not relevant to zoning applications. This ensures uniformity across ordinances.
- **Lot Coverage:** Defined as the portion of a lot covered by impervious surfaces, including areas covered by non-organic materials. This catch-all approach closes potential loopholes in current regulations.
- **Vegetative Coverage:** Defined as the portion of a lot covered by organic materials, such as grass, plants, and other greenery. Certain geotextile grass applications are also included under this definition.

The updated language will replace the existing definitions of lot coverage and impervious surfaces throughout the zoning ordinance, ensuring consistency across all districts. These revisions build on previous updates to the Agricultural and Rural zoning districts, which introduced vegetative coverage as part of lot coverage calculations. The Commission emphasized the importance of these updates in eliminating inconsistencies, enhancing clarity for developers, and supporting the township's stormwater management goals. Members acknowledged the need for additional review to ensure the changes address practical concerns. Further discussion addressed updates to parcel numbers and zoning adjustments for a property currently undergoing an eminent domain process. The Commission agreed that changes should wait until the property's new deed is recorded and parcel numbers are finalized to avoid inaccuracies. Additionally, the zoning map will need to be updated to reflect the property's designation change from rural residential to the appropriate category. The consensus was to postpone finalizing updates until the eminent domain process is complete. Andrew Merkel stressed the importance of establishing clear and consistent definitions for pervious and impervious surfaces in the township's ordinances. Accurate definitions are critical to ensuring uniform and effective application of regulations. It was clarified that new lots created through subdivision do not receive official parcel numbers until a conveyance is recorded. *After a thorough discussion, Ira Bitner made a motion to table the proposed stormwater management ordinance updates to allow Chad Clabaugh and Andrew Merkel to finalize the language and provide examples of implementation in other districts. The motion was seconded by Ronald L. Weidner. The motion carried unanimously.*

- **New Oxford Logistics LLC (Zoning Hearing scheduled for October 28th):** The Planning Commission reviewed the New Oxford Logistics LLC development, currently in the zoning hearing appeal process. The developer has 45 days to receive the hearing board's decision letter, followed by a 30-day appeal period, during which no further action can be taken. Township Engineer Chad Clabaugh addressed public criticism that the township was not vocal enough during the hearings, explaining that this approach was intentional. Engaging in debates could have undermined the township's current ordinances. He emphasized that his role, along with that of the Zoning Officer and township Attorney, was to uphold the township's ordinance, which currently permits warehouses in commercial zones by special exception. Clabaugh highlighted that most resident feedback he received opposed the warehouse development, with only a small minority he heard from supported it. He suggested the Planning Commission consider whether the consensus is to restrict warehousing in commercial zoning and, if so, to address this through ordinance amendments by removing warehousing from commercial zones and limiting them to industrial zones. However, this sparked thorough discussion, as relocating warehouses entirely to industrial zones might overburden infrastructure in those areas, placing too much strain on the township. The significant traffic impact of the proposed development, including over 6,000 daily trips from warehouses and a convenience store in the industrial zone, highlighted the inadequacy of current road infrastructure to support large-scale developments. The Commission also reflected on the historical rationale behind the Commercial Zoning Committee's decision to allow warehouses in commercial zones, noting the advantages of utilities and major crossroads at locations like Cross Keys. While this decision made sense at the time, current infrastructure constraints and widespread public opposition warrant reevaluation and further discussion. The Commission acknowledged the need to balance resident concerns, infrastructure limitations, and legal defensibility when considering zoning amendments. Christine Myers took a moment to commend the zoning hearing board for maintaining impartiality during the hearing, emphasizing their role in evaluating evidence fairly and avoiding undue influence during the hearing. *Following the discussion, a motion was made by Ira Bitner to withdraw this item from the agenda in light of the Zoning Hearing Board's decision on December 10, 2024. The motion was seconded by Ronald L. Weidner. The motion carried unanimously.*

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- **Cross Keys Intersection (Traffic Impact Studies/Corridor Study):** The Planning Commission discussed the recently received 112-page final report for the Cross Keys Corridor Study, which requires review and comments by the township. Concerns were raised about the tight review deadline, set for the end of December. Members questioned the practicality of completing the review within the given timeframe, suggesting an extension into January. Andrew noted that he would handle any necessary communication with PennDOT regarding deadlines, ensuring the township's comments would be submitted without rushing the review process. *A motion was made by Ira Bitner to table until the next Planning Commission meeting in January, allowing sufficient time for review and coordination. The motion was seconded by Christine Myers. The motion carried unanimously.*
- **Ordinance Amendment Status/Completion:** The Planning Commission reviewed the codification status of township ordinances. The only outstanding item is the amendment regarding the waiver of park and recreation fees, which requires additional clarification. Megan Carper agreed to review records from 2022 to confirm the amendment's status as time allows. *Ronald L. Weidner made a motion to table the discussion regarding the ordinance amendment status. Ira Bitner seconded the motion. The motion carried unanimously.*

Public Comments:

- Ryan Fox recommended to the Planning Commission removing warehousing as a permitted use by special exception in the commercial zoning district, arguing it conflicts with the district's goal of fostering appropriate development. He cited strong community opposition, including 31 formal objections and an extensive number of public comments he has received. Ryan pointed to examples from Oxford and Cumberland Townships, where warehousing is restricted to industrial zones. Ryan highlighted concerns about infrastructure strain, particularly on roads, and noted his personal expenditure of \$48,000 opposing the development, along with township legal costs. While he described the adjustment as simple, others argued it was more complex and requires a thorough discussion. Concerns were raised about the consequences of restricting warehousing to the industrial zone, including potential strain on infrastructure and traffic. Some members noted the township's reliance on two industrial properties, questioning whether concentrating warehousing there would overburden those sites. Others debated whether proactive ordinance changes should have been initiated earlier to prevent repeated conflicts. It was mentioned that while changes now wouldn't impact existing plans, they could safeguard against future disputes.
- Heidi Hartlaub and Sherry Heller raised concerns including traffic at Cross Keys including trucks and cars using Rolling Lane as a detour, causing significant wear and congestion. Planning Commission members and some attendees acknowledged these challenges, but debated the potential consequences of concentrating warehousing solely in the industrial zone.
- Andrew Merkel highlighted the broader regional impact of warehousing, pointing out that nearby projects, such as the Utz development, are already straining Route 94. He cited Straban Township's strategic warehouse overlay as a potential model while acknowledging that any location would face community opposition. Merkel stressed the need for proactive, thoughtful zoning to identify the best-suited areas based on infrastructure and utilities, rather than reacting to conflicts. He also noted the industrial district is disproportionately burdened, relying on just two properties, and emphasized the importance of regional planning to address broader development impacts.

Township Engineer Comments: No further comments.

ACOPD Comments: No further comments.

Zoning Officer Comments: No further comments.

Members Comments:

- Lela Reichart emphasized the need for a balanced and holistic approach to planning, highlighting the inevitability of growth and the resulting traffic challenges in Cross Keys, even without warehousing. She stressed that infrastructure improvements, particularly for traffic, should be prioritized over zoning changes to ensure the township can accommodate future development. Lela mentioned that concentrating all warehousing in the industrial district could place an undue burden on limited areas. She advocated for a task force involving community input and regional collaboration with the county and engineers to address economic development, infrastructure, and zoning comprehensively. Lela also warned against ignoring the financial realities of maintaining township services, urging the Commission to consider economic growth, housing, and an increased tax base while preserving the township's rural character. She concluded by reflecting on the extensive efforts required for previous zoning decisions, emphasizing that similar diligence is needed now.

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- Christine Myers emphasized the need for a thoughtful, comprehensive process in evaluating zoning decisions, reflecting on the lengthy and collaborative efforts required years ago to make similar determinations. She stressed the importance of considering the entire township's needs rather than focusing solely on specific areas like Cross Keys or individual properties. The discussion that followed highlighted a shared agreement on the need for a thorough evaluation of zoning options. Suggestions included exploring smaller or less intrusive warehouse developments to minimize impacts on traffic and surrounding properties. Participants also emphasized the importance of gathering more information and examining all potential options to ensure that zoning decisions align with the township's long-term goals while avoiding unnecessary legal and financial risks.

Township Supervisor Comments:

- Jeremy Smith: I will just reiterate what I said in November of 2023, that not to make any reactionary moves on warehousing. That where it's at currently and where you move it to could make it even worse. So just be very cautious on what we move. And I also want to thank all of you for all the work you've done this year and Merry Christmas.

Adjournment: *A motion was made by Ira Bitner to adjourn the meeting at 9:53 PM, seconded by Ronald L. Weidner. The motion carried unanimously.*

Respectfully submitted.

Megan Carper
Secretary/Treasurer