

Hamilton Township Planning Commission

Regular Meeting Minutes
5/23/2023

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

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

Also Present: Assistant Secretary Hannelore Furst, Chad Clabaugh P.E., and Jacob Spear, E.I.T of C.S. Davidson, Inc., Andrew Merkel of ACOPD and Zoning Officers James Graham and James Staub of PMCA.

Mel Lebo introduced James Staub as the new Zoning Officer and Jacob Spear for C.S. Davidson, Inc.

Motion to Adopt the Agenda: Chairman Mel Lebo made two changes to the agenda of the Planning Commission under 7B. Truck terminals, Warehouses Ordinance remove the words “stand alone” and add §150-98-DD. Under 8 Adams County Planning & Development Comments remove “Truck terminals, Warehouses”. *Ira Bitner made a motion to approve the revised agenda with a second by Ronald L. Weidner. **Motion carried unanimously.***

Minutes: The minutes dated April 18, 2023, for the regular meeting were presented for approval. *A motion to approve was made by Ira Bitner with a second by Ronald L. Weidner. **Motion carried unanimously.***

New Business:

- A. Minor Subdivision for DJ Homes, LLC: PMCA has performed a complete review of the subdivision plan. *A motion was made to accept the plans for review by the county and the engineers by Ronald L. Weidner with a second by Ira Bitner. **Motion carried unanimously.***
- B. Junk related to Nuisance Ordinance: James Graham stated there needs to be a clear definition for trash, refuse, and junk, putting in the definition exactly what it is such as broken glass, accumulation of paper, scrap metal, etc. He stated Abbottstown Borough and Reading Township have a clearly defined ordinance. Andy stated he will check with other municipalities on their Junk/Nuisance Ordinance definitions to report at next month’s meeting. The statement about after one trash collection cycle it would be a violation if the trash is not collected was discussed. Especially how many haulers are missing pick-ups, and this would not be advisable for a violation. *A motion was made to table by Ronald L. Weidner with a second by Ira Bitner. **Motion carried unanimously.***

Old Business:

- A. K-Hill Enterprises, LLC: A revised plan was submitted by Jack Powell; there was not enough time to be on this month’s agenda and will be on June’s agenda. *A motion was made to table by Ronald L. Weidner with a second by Ira Bitner. **Motion carried unanimously.***
- B. Logistics-Cross Keys Intersection: The supervisors had a meeting with Andy Merkel of Adams County Planning and Development; Representative Torren Eckert, Chad Clabaugh of CS Davidson, Mel Lebo and Ronald Weidner concerning the development around Cross Keys intersection. Chad stated there are major developments proposed for Route 30 and Route 94 area which will impact the traffic flow, and there are impact studies scheduled for the area.

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The other two townships (Berwick and Oxford) will be expected to sign off on the plans also. This will be a multi-regional effort. Chad suggested C.S. Davidson provide services through a consultant and traffic engineer for those reviews. The review fees would be paid for by the developers. The four impact studies would be for Pennwood Products (Appalachian Realty); J. A. Myers; Royal Farms and New Oxford Logistics. *A motion was made to table by Ronald L. Weidner with a second by Ira Bitner until more information becomes available. Motion carried unanimously.*

Ordinance Amendment Status/Completion:

- A. Stormwater Ordinance: *A motion to table was made by Ira Bitner with a second by Ronald L. Weidner. Motion carried unanimously.*
- B. Warehouse/Truck terminals: The solicitor has made one recommendation. Item Number 9 was added: All vehicle service and/or repair activities shall be conducted within a completely enclosed building. Outdoor storage parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be sufficiently screened from adjoining roads and properties such that same is not visible from the adjoining roads or properties. The Ordinance will have to be presented to Adams County for their review and then 30 days later it can be advertised. Lela questioned if this will be consistently applied regionally. Andy stated to a point it will, they have informally assisted Straban and Conewago Townships with their Ordinances on this. *The motion was made to submit Ordinance §150-98.DD to the Supervisors for review and remove §150-98.HH; and forward to Adams County Planning and Development for approval and advertise for adoption by Ira Bitner with a second by Ronald Weidner. Motion carried unanimously.*
- C. AP District/Estate Lots: Mel asked Lela if her questions were answered at last months meeting. She stated she thinks so. She was looking for data points and how we have done based on our policies. She thinks it would be good to look at the data once a year. Andy explained the location criteria in your ordinance is there but not really followed, should we keep it or ditch it and what happens, happens. The working issue is if you are going to preserve the larger tracts of land for agricultural production then you need an efficient layout, like tucking it down in corners so you are not creating a snaggle tooth grin. Ron stated we shouldn't be telling people where they can set their house on their own property. There was a brief discussion, we have these regulations, but they are not being followed, so why continue making rules if they are not followed. The rules should be universal and clear. Andy stated the zoning officer makes the final decision. Chad stated the quality of life would go down drastically if we let people build anywhere. Mel stated we need to make the ordinances clear; we are changing ordinances as we find things that need to change and as we grow. Andy stated the zoning officer makes the final decision. The Supreme Court is constantly fighting different interpretations. Mel went back to the A/P District.
Lela commented on the science of soil topography and how the soil can be amended, and she has a problem with the township deciding where you can build or plant. Mel stated that they had decided not to go that route. Andy stated the soil Class 1-2 has a preservation ranking that has the highest quality ranking in Adams County. Locational standards were preferred, but without it you would get all different separation distances. If it's not being enforced, which he mentioned this township is not alone on this, he suggests taking it out of the Ordinance and it would cut a couple of pages out of the Ordinance. It is not going to change the overall number of lots; the lots will be driven by the perc sites. Andy questioned whether they have seen any

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lots in the A/P District that would cause problems, nobody could think of any. By consensus the Board advised Andy to take it out of the Ordinance. Chad asked Andy to provide what sections he plans on eliminating from the A/P zone. The A/P zone just needs some cleaning up and state laws have made some things irrelevant. Some of the uses in the Locational Criteria District §150-16 are also in the AP District, so to make it consistent between the two districts, he is going to remove §150-16 Section E completely. He will be removing the cluster development, which has two sliding scales, one for acre lots and one for clusters and is removing that from everything because it is not followed and because it requires community package sewer plants, which DEP is not permitting anymore. The Amendment would repeal Article 4 certain sections and replace it with Article 5 and add a new version. Then Article 13 will need some editing to include the definitions for Estate lots, Truck terminals and Warehousing.

- D. EV Electric Vehicles: Mel discussed there were seven categories: charging stations, make ready standards, supply equipment standards, parking space design & construction, parking capacity, minimum standard, signage & other safety. Ira mentioned that no matter what the township does, down the line, the state will change things. Andy mentioned there are a lot of unknown things with any new technology that needs to be worked out. Andy mentioned that PennDot recommends the townships contact the electric providers on where they would place the charging stations before doing so. *A motion was made to remove the EV Electric Vehicles from the agenda by Lela Reichart with a second by Ira Bitner. Motion carried unanimously.*

Adams County Planning & Development Comments: Nothing else.

Township Engineer's Comments: Chad Clabaugh P.E., of C.S. Davidson stated that Jacob Spear will be helping him, Chad is not going anywhere, he just needs some back up.

Township Zoning Officer: Jim Graham, stated everything is good.

Township Supervisors Comment: Jeremy Smith reminded the planning commission to continue working on updating the Ordinances.

Members Comments: None

Public Comments: None

A motion was made by Ronald L. Weidner to adjourn the meeting at 8:25 PM; with a second by Ira Bitner. Motion carried unanimously.

Respectfully submitted.

Hannelore Furst
Recording Secretary