

CUMBERLAND TOWNSHIP PLANNING COMMISSION
Meeting Minutes of January 11, 2024
1370 Fairfield Road, Gettysburg, PA 17325

Call to Order: The Meeting was called to order at 5:30 P.M. by Chairperson Barbara Underwood.

Attendees: Chairperson Underwood, Vice-Chairperson Kenny Caudill, Members Kirby Kiefer and Theresa Finkenbinder; Solicitor Justin George; Secretary Michele Long, Treasurer/Finance Director Camie Stouck-Phiel, Township Manager David Blocher and KPI Technology Representative Leah Heine, Member Robert Bunce was absent.

Mrs. Underwood appointed Solicitor Justin George as temporary chairperson for the purpose of reorganizing to elect a Chairperson.

Mr. George asked for nominations for Chairperson of the Planning Commission. Mr. Caudill nominated Mrs. Underwood for Chairperson. No other nominations were given. With no other nominations, Mr. Kiefer 2nd the motion to elect Barbara Underwood as Chairperson of the Planning Commission. **Motion Carried 4-0 vote.**

Mrs. Underwood made a motion to elect Mr. Caudill as Vice-Chairperson, Mrs. Finkenbinder 2nd the motion to elect Mr. Caudill as Vice-Chairperson of the Planning Commission. **Motion Carried 4-0 vote.**

Minutes of the December 14, 2023 Regular Meeting: ***Approved on an Finkenbinder/Kiefer motion; 4-0 vote.***

Public comments: None

Active Business:

Enos & Rachel King Property:

The plan proposes to construct a barn of approximately 7,572 Square Feet and associated gravel or concrete pad on an existing 121-acre farm along Horner Road in the Agricultural Zoning District. This farm was previously improved with two hoop greenhouses in 2021.

Heine, the Commission, and the applicant's engineer Bob Sharrah discussed the previously tabled plan's remaining comments.

Since the last meeting it has been determined that the applicant is proposing to have 50 beef cattle, not dairy cattle as previously discussed. Heine also stated that the office in the barn has been removed since the last review. Heine discussed the remaining zoning ordinance comment, asking that the developable acreage of the farm be calculated. It should also be shown that 50 proposed cattle don't exceed the density allowed. County comments dated December 20, 2023 have been received and reviewed. Heine asked that a note be added to state that "no sewage facilities are proposed with this plan and that any future sewage facilities must meet all applicable requirements." The plan will require the owner and engineer's acknowledgement/seal/signature and it must be executed. Heine understands that there is going to be a well and has asked that the proposed well and associated waterline be shown on

the plan. To demonstrate compliance with Water Demand requirements, the anticipated daily usage should be provided. The proposed development area should be shown on the overall property plot. Also, the perc test areas that were previously depicted and the back-up test site for the house should be shown. It should be shown that they will not be disturbed by the project. An approved Erosion Control Plan is required, and currently the bonding of any related improvements will be required. Heine explained that after correspondence with the Conservation District a formal review of the plan won't be completed. Heine will more thoroughly review the erosion/sediment control plan based on a formal review of the plan not being completed by the Conservation District.

Heine explained the review of the Stormwater Management Plan. From review of that plan, it was noted that the use of the Simplified Approach was allowed in 2021 for the hoop barns (greenhouses) with an impervious area of just over 10,000 square feet. This project proposes an additional 15,000 square feet of new impervious coverage. Under the Township's Stormwater Management Ordinance, the maximum cumulative impervious area allowed for use of the Simplified Approach is 10,000 square feet. With the proposed plan this site would exceed 25,000 square feet, therefore a formal stormwater management plan would be required. Heine stated that the applicant has requested a Waiver to the requirement to provide a formal stormwater submission. Sharrah's Waiver request letter explains that the plan demonstrates that runoff from the barn will be "disconnected." Sharrah further states that the proposed barn is over 200 feet from the nearest adjacent building and over 500 feet from the nearest public road and is located essentially "in the middle of a field." Heine stated that while she understands the applicant's argument, she doesn't agree that the proposed plan is "disconnected." She also stated that there is not a manure management plan associated with the proposed plan. She and the Commission also struggle with setting a precedent. The Commission had a lengthy discussion regarding the requested waiver.

Kiefer made a motion recommending that the requested waiver be denied. Caudill 2nd the motion; Motion Carried 4-0.

Finkenbinder made a motion that this plan be approved based on the remaining KPI engineering comments being addressed. Caudill 2nd the motion; Motion Carried 4-0.

New Business:

Cumberland Village Phase 2B Final Plan:

The plan represents the second and final phase of the Cumberland Village development. It is located on the northwest side of Herr's Ridge Road near the intersection of Fairplay Road and will be 85 single family dwelling units, 1-HOA lot and one lot to be dedicated to CTA on approximately 29 acres. The original preliminary plan for Cumberland Village Phase 2 is 189 units on approximately 107 acres in the Residential Zoning District using a 30% overlay design. Fairplay and Audubon Roads and Nuthatch Drive will be offered for dedication to the Township with the balance of the streets to remain privately owned by the HOA. The Phase IIB Preliminary Plan was recommended for approval on September 26, 2023.

Heine stated that all zoning related comments appear to be addressed. Next Heine reviewed the Subdivision Land Development Ordinance Comments. Sharrah was also representing this plan. Heine addressed the Adams County Planning comment regarding Kingfisher Court. It seems to be confusing how to travel the proposed road. Sharrah suggested the area be closed in and grass be planted in the middle. The Commission agreed with the decision. Heine asked

that the Site Data Table from the Preliminary Plan be added to the Final Plan. Recreation Area fees will be required for the plan. Heine commented that the phasing notes on sheet LD 5 need to be updated to reflect the current development conditions. Also, the mulch walking path should be shown to be connected to the sidewalk. A Sewer Extension Agreement and review and approval of the Cumberland Township Authority and Gettysburg Municipal Authority will be required. A PADEP Water Quality Management Permit for the wastewater pump station is also required. Construction detail comments must be addressed. Bonding of related improvements will be required, and a cost estimate should be provided for review. A Developer's Agreement required by the Solicitor must be executed and recorded and HOA Documents should also be provided for review by the Solicitor. Video documentation of the pre-existing conditions should be made of the site, including where watercourses leave the property. This documentation should then be provided to the Township. The Stormwater Management Operations and Maintenance Agreement must be executed and recorded. Finally, the remaining Stormwater comments pertaining to the discrepancies between profile view and plan view were reviewed.

Caudill made a motion that this plan be approved based on KPI engineering comments being addressed. Kiefer 2nd the motion; Motion Carried 4-0.

General:

The December 2023 Zoning / Building Code Officer's Report was acknowledged.

There being no further business the Meeting was adjourned at 6:39 P.M. ***Approved on a motion by Kiefer, 2nd by Finkenbinder. Motion carried 4-0.***

Submitted by: _____ Camie Stouck-Phiel, Treasurer