

CUMBERLAND TOWNSHIP PLANNING COMMISSION

Minutes of the February 14, 2013 Regular Meeting

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairperson Jim Henderson. The meeting was recorded.

ATTENDANCE

Present were Jim Henderson, (*Chairperson*) Barry Stone, (*Vice Chair*) Stephen Tallman, Carl Athey, Dennis Hickethier, Sam Wiser (*Township Solicitor*) Ben Thomas (*Township Manager*), William Naugle (*Township Code Enforcement/Zoning Officer*), Michele Long (*Planning Commission Secretary*), Leah Heine (*Township Engineer*).

APPOINT TEMPORARY CHAIRPERSON

Mr. Henderson appointed Mr. Thomas as temporary chairperson for the purpose of voting on a new Chairperson.

REORGANIZATION

A nomination was made by Mr. Tallman for Mr. Henderson to remain Chairperson.

A motion was made by Mr. Tallman to close the nominations and seconded by Mr. Stone.

Vote: Yea-5 Nay-0

Motion Carried

A motion was made by Mr. Tallman to cast the lone ballot electing Mr. Henderson as Chairperson, seconded by Mr. Athey.

Vote: Yea-5 Nay-0

Motion carried.

Mr. Henderson resumed the meeting as Chairperson from Mr. Thomas.

A nomination was made by Mr. Tallman for Mr. Stone to remain as Vice Chairperson.

A motion was made by Mr. Hickethier to close the nominations and seconded by Mr. Athey.

Vote: Yea-5 Nay-0

Motion Carried

A motion was made by Mr. Athey to cast the lone ballot electing Mr. Stone as Vice Chairperson, seconded by Mr. Tallman.

Vote: Yea-5 Nay-0

Motion carried.

APPROVAL OF MINUTES

Approval of the Minutes from the December 13th Planning Commission Meeting. **Mr. Henderson stated that the minutes from the December 13, 2012 Planning Commission Meeting stand as written.**

PUBLIC COMMENT

Peggy Keating-Butler, 1805 Mummasburg Road, spoke of the proposed Keller Poultry Barns Land Development Plan and informed every one of her settlement with Mr. Keller regarding private issues on the property with DEP and the Nutrient Management Plan. The settlement was agreed and a contract written that instead of having 2 rows of trees the applicant now agree to having 3 rows of trees. Mrs. Keating-Butler stated that there were not 3 rows of trees shown on the current plan. Mr. Wiser stated that the Planning Commission could not base their decision on a private party settlement and stated that it would not be a problem if Mr. Keller's Engineer would add the extra row of trees on the plan. Mr. Henderson recommended to Mr. Keller's Engineer that he add the extra row of trees to the plan.

Jean Stone, 1745 Mummasburg Road, spoke of the proposed Keller Poultry Barn Land Development Plan and her review of the documents

she received through a Right to Know request from the Township. Mrs. Stone added that there is very misleading information in the Erosion and Sedimentation Control Report and the Post-Construction Stormwater Management Plan. Mrs. Stone also spoke of the need for more site distance at the entrance to the proposed site. Mrs. Stone's submitted letter is attached.

Elizabeth Magner, 470 Belmont Road, stated that she was pleased with the Township Engineer (KPI) review of the Keller Plan and she hopes that they keep up their due diligence with their future reviews.

Eugene Braham, 1784 Mummasburg Road, spoke of the run-off in the back of the Keller land onto his property and wanted to know what was going to be done to fix it.

ACTIVE BUSINESS

Ely Farmer's Market

Construction of a new 2,400 SF Farmers Market building and 12 parking spaces on 4.7 acres along Fairfield Road and Willoughby Run Road.

Scott Schildt from Martin and Martin Engineering stated that there have been extensive revisions made to the plan which created an entire new set of Engineer comments and he was not prepared to address those at this meeting. He added that he would be ready to address these comments at the next Planning Commission meeting and would request a 90-day extension.

Leah Heine, Township Engineer, reviewed the main revisions to the plan. The Commission had dialogue with Ms. Heine and Mr. Schildt.

Mr. Hickethier made a motion to table the plan to address the Engineer comments. 2nd by Mr. Stone.

Vote: Yea-5 Nay-0

Motion Carried

NEW BUSINESS

Keller Poultry Barns

Construction of two poultry barns, two roofed waste storage areas, a packing room, a gravel/paved access drive and a bio-retention basin on a 50 acre lot in the A/R zoning district located on Mummasburg Road.

Mr. Stone recused

Dave Keener, Mr. Keller's Engineer with Team Ag, gave a brief explanation of the plan. Mr. Keener stated that the land development plan represents what was discussed at the conditional use hearing. Mr. Keener stated that they are currently waiting on comments from the Adams County Planning Commission. He added that he would be working over the next couple weeks to address the Township Engineer comments and will be preparing to have a compliant submission to review at the next Planning Commission Meeting.

Mr. Wisner stated that at the current time the applicant has received comments from our Township Engineer, from himself as Township Solicitor and also future comments from Adams County Planning that need to be addressed. Mr. Wisner recommended that the Commission give the applicant time to review and address these comments he has received and come back to the Commission with a more complete package. Giving the applicant the time to address these comments should reduce the amount of comments that KPI will have with a second review.

Mr. Tallman asked about the drainage problem in the northeast quadrant that was brought up from Mr. Braham. Ms. Heine stated that the storm water report reflects that that specific area of the property is a separate drainage area and that it is not shown to have additional impervious areas

in it. Ms. Heine added that the impact will be addressed in the engineering with the storm water calculations.

**Mr. Athey made a motion to table the plan to address all outstanding comments. 2nd by Mr. Hickethier.
Vote Yea-4 Nay-0 (Stone Recused)
Motion Carried**

OTHER BUSINESS

Zoning/Code Officer's Report

Mr. Naugle gave a report for the December, 2012 & January, 2013 building/zoning activities within the Township.

ADJOURN

**There being no further business, the meeting was adjourned at 7:32 p.m. by motion of Mr. Hicketheir seconded by Mr. Athey.
Motion carried.**

Michele Long, Secretary