

Hamiltonban Township Planning Commission  
23 Carrolls Tract Road, Fairfield, PA 17320  
Regular Meeting  
July 25, 2006

**Planning Commission Present:** Chairman Curtis Musselman, Vice-chairman Stephen Jacobs, and William Shriner. Guy Donaldson was absent. Pamela Wiehagen was unable to attend because of the death of her mother-in-law.

**Others Present:** Hamiltonban Township's engineer Tim Cormany from Martin and Martin, Inc., Zoning Officer Milton Nicks, Mrs. Barbara Nicks as recording secretary.

**Public Attendees:** Jeff Ernico, James Hanna, Chinmay Vyas from Empire Homes, Dale and Doreen Premo, David and Barbara Prophet, and Harry Rood.

**Supervisors Present:** Chairman James Benner, Road Master Jay Edward Deardorff, Police Coordinator Coleen Reamer.

Chairman Musselman called the meeting to order and stated that the meeting is being recorded for the purpose of writing the minutes.

Vice-chairman Jacobs made a motion to approve the agenda, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

Mr. Shriner made a motion to approve the July 3, 2006 Rescheduled Meeting Minutes, seconded by Vice-chairman Jacobs. The Planning Commission unanimously approved this motion.

### **Old Business**

Mr. Cormany stated that Martin and Martin, Inc. have recently received a revised stormwater management plan for Jemez, LLC. three lot subdivision on Cold Springs Road, Orrtanna, PA. Martin and Martin, Inc is still reviewing the plan. No action was taken by the Planning Commission.

### **New Business**

#### **Rood/Coble**

Harry Rood presented a sketch plan for a land swap with Parker Coble. Mr. Coble's two parcels would be connected to create a parcel a little larger than 10 acres; he will be eligible for "Clean and Green" tax credit. Mr. Rood will be changing the configuration of three lots off French Lane, Fairfield, PA and no new lots would be created. Planning Commission and Mr. Cormany stated he would proceed with the next step in the land addition process.

#### **McGinley Choice/ Empire Homes**

Mr. Ernico stated that the Township should be receiving a letter next week requesting a 90 day extension for McGinley's Choice Subdivision Plan. Mr. Cormany replied that according to the Township's ordinances the plan will not be considered completed and therefore can not be formally submitted until all the modifications are completed. According to Hamiltonban Township's officials the plans have not been

officially submitted. There was a discussion concerning this issue. The Township will consult with Solicitor Heiser. Vice-chairman Jacobs made a motion stating that if an extension is needed, that the Planning Commission recommends to the Board of Supervisors that a 90 day extension should be granted for the McGinley's Choice Subdivision Plan, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

Mr. Cormany stated that the Township and Borough of Fairfield should hold a joint meeting in the near future to discuss the McGinley's Choice Subdivision Plan. Empire Homes representatives agreed. Hamiltonban Township and the Borough of Fairfield need to communicate since this plan involves both communities.

#### **Empire Homes' Waiver Request from Section 804.18-B ~Intersections**

Hamiltonban Township Ordinances states intersections are to be 800 feet apart. Union Avenue, the main street, going thorough the development has at least 20 intersections. Mr. Cormany noted to the Planning Commission that this development has a lot of unique qualities. Mr. Cormany questioned if there could be any other way to design the road system. To eliminate another intersection on to Union Avenue, Kane Road could be designed as a cul-de-sac. Chairman Musselman would like to see more cross streets instead of all the off streets. It was noted that some of the proposed streets in the Borough of Fairfield are designed with one way traffic pattern. Mr. Cormany pointed out that there are many ways Empire Homes could design McGinley's Choice to be more in compliance with the Township's ordinances. For modifications to be approved actual hardship should be explained. After discussion Chairman Musselman made a motion to grant waiver request number one from Section 804.18-B~Intersections for Union Avenue entire length, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion. A copy of the request dated July 13, 2006 will be attached to the minutes.

#### **Empire Homes' Waiver Request from Section 804-18-C~ Approach Length**

Hamiltonban Township Ordinances state intersections must have 100 foot straight course.

Empire Homes noted four intersections for this modification but Mr. Cormany stated there are more intersections that have less than 100 foot straight course. There was a discussion on topographic problems and Water Street existing design. Chairman Musselman made a motion to recommend to the Hamiltonban Township's Board of Supervisors that the Kane Road /Iverson Road intersection and Kershaw Road/Union intersection needs to be redesigned to be more conforming to the Township's ordinances. There were other intersections that were less than 100 foot straight course but because of environmental issues would be allowed. Empire Homes will submit a revised plan and these areas will again be reviewed. Empire Homes was instructed by Mr. Cormany to redesign some of these areas.

#### **District Re-zoning**

David Sites requested that the Mae White Woerner remaining property be re-zoned to Mixed Residential (R-3) Zoning District. Mr. Site's has proposed creating an adult community, similar to the Lutheran Home in Gettysburg, PA. There was much discussion on this request. The Planning Commission received copies of "Active

Recreational and Adult Community” information for their review. It was pointed out that no other neighboring municipality has this type of community. The Township should consider the advantages of this type of community. This summer some Shippensburg College students completed a study noting that the majority of this community population will be over 50 years old within the next 10 years. Mr. Cormany will research other communities’ current zoning on this type of adult community.

### **Other Business**

Zoning Officer Nicks report that some problems have been showing up lately that the Planning Commission has created. He believes that Planning Commission should be more careful in what they allow on subdivisions. On Mount Hope Road one lot was created in 2001 as two lot additions. The additions never happened and a separate lot deed was written for this land, creating a non-forming lot. Zoning Officer Nicks can not issue a building permit on this lot as it now stands. This should never have been allowed. This is the second time this has happened. Zoning Officer Nicks requested that Planning Commission and the Board of Supervisors be careful in the future to prevent the creation of illegal lots.

Zoning Officer Nicks reported that the two new houses on Zoo Road have confirmed contaminates in their wells. He stated that the Hamiltonban Township Well Ordinance is working.

Zoning Officer Nicks completed an inspection on Mount Hope Road for a complaint that two dwellings were on one property. The property owner is going to contact his lawyer to have the tenant evicted. The property owner was instructed not to allow another person to live in that structure.

The Planning Commission was given one copy of a GIS aerial view of the Tapeworm Railroad in Hamiltonban Township. This historical information may be used in Growing Greener: Conservation By Design ordinances.

### **Next Meetings**

Growing Greener: Conservation By Design, July 27, 2006, starting at 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

Next regular Planning Commission August 22, 2006 starting at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

### **Adjournment**

At 9:18 PM Chairman Musselman made a motion to adjourn the meeting, seconded by Mr. Shriner. The Planning Commission unanimously approved this motion.

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LuAnn M. Dille  
Secretary

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Curtis Musselman  
Chairman

