

Hamiltonban Township Special Meeting
Board of Supervisors and Planning Commission
23 Carrolls Tract Road, Fairfield, PA 17320
March 26, 2018

At 7:00 PM Chairman Deardorff called the meeting to order at the Fairfield Fire Hall and announced that the meeting was being held to receive public comment on the proposed new zoning ordinance. He also stated the township public comment policy which limited speakers to five minutes, required them to announce their name and address, be residents of Hamiltonban Township, and total public comment is limited to 30 minutes.

Supervisors Present: Chairman J. Edward Deardorff, Robert L. Gordon, , LuAnn M. Dille, and Douglas Woerner. D. Bradley Martin was excused due to illness.

Commission Members Present: Chairman Russell Ryan, Eugene Starbuck, John Iaea, David Peters and Steve Jacobs were present.

Staff/Consultants Present: Township Solicitor Matthew Battersby, Rob Thaeler of the Adams County Office of Planning and Development, Township Planning Consultant and Fred Heerbrandt of Wm. F. Hill & Associates, Township Engineering Consultant were present.

Public Attendees: John Messeder of the *Gettysburg Times*, Stephen Reid, Jeff Lane, Mary Lane, Mary Roeder, Bill Summers, Kenneth Stahl, Cliff Frost, Candace Ferguson-Miller, Dick Wivell, Josh Gastley, James Grinder, John Brunner, Duane Williams, Tom Kiniry, Terry Kuykendall, Chrisanne Bowden, Pat Mayer, David Kump, Alan Fitzgerald, Clyde McClain, Curt Musselman, Lonny Whitcomb, Emily Whitcomb, Amanda Whitcomb, David Brown, Maurice Brown, David Metz, Linda Williams, Richard Johnson, Laura Morgan, John Lynch, Elizabeth Lynch, Betty Pue, Mike Pue, Chuck Christianson, Walt Logue, Marci Logue, Carol Dolly, Butch Harbaugh, Eugene Pecher, Cal Bream, Dan Stasny, Michael Gastley, Kim Bream, Lon Dolly, Brian Burrier, Kim Burrier, James Cowdrick, and Mike Ball.

Proposed Zoning Ordinance Review:

Chairman Deardorff began by asking Township Planner Thaeler to describe how we arrived at this point in developing the proposed Zoning Ordinance. Rob said the process began with the Planning Commission developing the draft three years ago and then continuing to develop the draft two years ago in joint meetings with the Board of Supervisors. Rob continued to say that at the January meeting of the Planning Commission it was decided to hold a subsequent meeting with the Board of Supervisors to receive public comment. Rob added that obtaining comments from the public was essential to the process of developing a new zoning ordinance. Township Engineering Consultant Heerbrandt said he had no comments to add to those of Rob. Planning Commission Chairman Ryan asked Rob to explain that any new zoning district does not preclude any current use of the property from continuing. Rob explained that under state law any former use of a property, even if not allowed under a new zoning district, can continue.

Chairman Deardorff invited former Chairman Gordon to add comments. Former Chairman Gordon said all the township meetings held during the three years have been public, the meeting minutes have been posted on the township website, Mr. Messeder has attended the meetings and published articles about them in the *Gettysburg Times*, and the process has been totally transparent. He added that public comment is welcomed and thanked all those present for attending.

Chairman Deardorff then called for public comment. The first speaker was Curt Musselman who asked the Supervisors and Planning Commission to consider not zoning the Steinberger property as industrial and allowing it to remain agricultural. He cited as an additional concern three Federal Government wells located on the property and what an industrial use may do to water quality on the property.

The next speaker was Emily Whitcomb who stated several reasons why she was opposed to any rezoning all of which were examples of how she felt the rural character of the area would be lost due to development allowed by the new zoning. She ended by thanking the Board of Supervisors and the Planning Commission for all their volunteer work.

Lonnie Whitcomb followed by asking the Supervisors why any rezoning was necessary, what was the Supervisors' motivation for change. He further described the current proposal as radical which he also felt would change the character of the area and cause it to lose its charm.

Josh Gastley asked the Board of Supervisors and Planning Commission why the rezoning proposal was so radical and to explain how it will benefit the residents. He said he understands the need for updating the zoning ordinance but asked that it be toned down and specifically asked that the Luntz farm not be rezoned to allow for development.

Kenneth Stahl said he expected to see maps and charts at this meeting and asked why the rezoning was being proposed and why there were no maps and charts to explain it. He asked if Site R was aware the area surrounding its wells was proposed to be rezoned industrial. Chairman Deardorff explained that nothing in the proposed zoning ordinance was fixed, that we will be evaluating all comments made tonight and that further in the zoning ordinance process maps and charts would be provided at meetings.

Betty Pue said she was concerned that water and sewer requirements for development were not appropriately considered. She also asked to be told why rezoning was being considered and specifically criticized allowing the Post Office to be built on a flood plain.

Calvin Bream began by thanking the Board of Supervisors and Planning Commission for their work. He said he lived in Frederick County Maryland for 40 years and as he saw it being developed he saw an increase in his taxes. He also said there was an unfulfilled proposed development near Orrtanna which he requested to be removed from the books.

Next John Luntz addressed the meeting saying he has lived in the township for 67 years and has seen and accepted changes to the area in that time but the proposed rezoning will result in too great a change. He requested that no rezoning be done.

Clifford Frost told the meeting about several past Pennsylvania Supreme Court rulings including a fair share principle which he interpreted as mitigating the requirement for the

township to provide for every possible legal use of land within its boundaries. He closed with two questions for the Board of Supervisors. What has motivated the board to place the highest density development in prime farm land and a protected watershed? And has the board determined the township is in the path of growth using factors he outlined?

Chairman Deardorff closed public comment and asked Solicitor Battersby if he had any comments. Solicitor Battersby said he wanted to address the previous comment about the Post Office since it is in Fairfield Borough not Hamiltonban Township. Because he is also the Fairfield Borough Solicitor he said the borough requested the Post Office not be located where it is but they were overruled by the Federal Government. He added that Mr. Frost's comments about the fair share principle would be evaluated but it was a complex principle. Lastly a member of the public asked Solicitor Battersby if any member of the Board of Supervisors or the Planning Commission would benefit from the proposed rezoning. He replied that to his knowledge none of them would benefit.

Mary Roeder asked if she could address the board before adjournment and Chairman Deardorff said yes. Mary said she and her husband were re-enactors and asked that the board take the unique historic nature of the area into account in developing the new zoning ordinance.

Adjournment. At 7:51 PM Chairman Deardorff adjourned the meeting.

Respectfully submitted,

David Peters
Hamiltonban Township Planning & Zoning Commission Secretary