

STRABAN TOWNSHIP PLANNING COMMISSION

Alan Zepp, George Mauser, Patt Kimble, Sharon Hamm, John Hartzell

The Straban Township Planning Commission met this date, as publicly advertised, at 7:00 p.m. in the meeting room of the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA 17325 with Chairman Alan Zepp presiding. Others in attendance were: Vice-Chairman George Mauser; Secretary Pat Kimble; Member Sharon Hamm; Member John Hartzell; Zoning Enforcement Officer David Clapsaddle; and Township Engineer Erik Vranich.

Others in attendance: Sandra and Lawrence Martin; Robert Sharrah, Sharrah Design Group; Peter Martin; Susan Munoz; Pam Redding; Brian Redding; Dusin Bratic; Joe Green; Andy Merkel, Adams County Office of Planning and Development; Bob Spangler; John Aldridge; and Skip Strayer.

Public Comment/Agenda Items:

None.

Minutes:

Mr. Mauser moved, seconded by Mr. Hartzell to approve the July 24, 2019 minutes as presented. Motion carried unanimously.

Land Use Reviews (Preliminary/Final Plans):

Freedom Valley Worship Center – Freedom House – Preliminary/Final Land Development Plan (3140 York Road) – Must act by 12/06/19.

No action.

Mark Gettysburg Associates, L.P. – Preliminary Subdivision/Land Development Plan (York Road and Hanover Road) – Must act by 09/15/19

Ms. Kimble moved, seconded by Mr. Mauser to recommend an extension of time to March 15, 2020. Motion carried unanimously.

Stonehedge Realty – Final Land Development Plan (ACEDC lot #17 Phase I) – Must act by 08/20/19

Mr. Martin stated that a plan was resubmitted and the only things left are housekeeping comments. Mr. Vranich agreed. Mr. Vranich suggested that the waiver/modifications that were recommended for approval during the preliminary plan be reaffirmed on this final plan.

Mr. Zepp moved, seconded by Ms. Kimble to reaffirm its recommend approval of the waiver to SALDO 117-20.K, 117-27.B(32), 117-52 which establishes the requirements for a Traffic Impact Study. Motion carried unanimously.

Ms. Hamm moved, seconded by Mr. Mauser to reaffirm its recommend approval of the modification to SALDO 117-40 which requires curbing in areas of non-residential parking lots. Motion carried unanimously.

The Straban Township Planning Commission recommended conditional approval based on the review letter of Wm. F. Hill & Assoc., Inc. dated August 20, 2019 to be satisfied as follows:

1. a) SALDO 117-27.B(8) – The seal and signatures of all professionals involved with the Plan.
- b) SALDO 117-27.B(29) – Owner/Developer’s Acknowledgement and signature.

3. SALDO 117-26.D – A financial security estimate must be provided, approved, and bonded prior to Final Plan approval. Financial security should be provided for any and all improvements required by the Straban Township Ordinances for the construction of Phase 1 that have not yet been satisfactorily completed by the time at which the Final Plan is signed.

4. SALDO 117-42 – This section establishes that, where practical, all lots must be connected to public sewer systems. Evidence must be provided that capacity within the GMA system has been purchased or otherwise reserved prior to signature of the Final Plan.

5. SALDO 117-50 – Recreation land and/or fees (estimated at \$3,500 for Phase I) are required for the Development.

6. This project will be subject to impact fees for transportation capital improvements at time of building permit submission, in accordance with the settlement agreement.

Ms. Hamm moved, seconded by Mr. Hartzell. Motion carried unanimously.

Smith’s Septic Disposal Facility* – Final Land Development Plan (660 Beaver Run Road) – **Must act by 10/10/19*

They are working through zoning issues and planning issues.

Amblebrook – Amenity Area Lots H-1 & H-7* – Preliminary/Final Land Development Plan (Shriver’s Corner Road) – **Must act by 10/01/19*

Mr. Vranich reviewed the letter of Wm. F. Hill & Assoc. dated August 23, 2019 with the Commission and indicated that there are a few waivers that would need to be reaffirmed and most of the comments are stormwater management housekeeping issues. Mr. Sharrah assured the Commission that the stormwater issues could be addressed prior to the Board of Supervisors meeting on Tuesday, September 3, 2019. Mr. Mauser voiced his concern about the requested waiver of SALDO 117-31.A wherein parking cannot be

located between the building and the adjacent road right-of-way. There are several areas where parking is proposed between the building and the right-of-way. Mr. Mauser asked if other avenues were looked at that would have been in accordance with the ordinance. Mr. Sharrah stated that there were numerous other concepts prepared. It was noted that it was consistent with the current ordinance however, the preliminary plan was filed in 2006 which would have been under the old ordinance. The Commission would like to be made aware of these waiver requests earlier in the process and not wait until the end.

Mr. Hartzell moved, seconded by Ms. Kimble to recommend approval of the waiver to SALDO 117-31.A wherein parking cannot be located between the building and the adjacent road right-of-way.

Motion carried unanimously. Ms. Hamm explained that it is the practice of this Commission that if there are in-house items to be taken care of the Commission usually does not recommend conditional approval. **Ms. Hamm moved, seconded by Ms. Kimble to recommend an extension of time to October 10, 2019. Motion carried unanimously.**

Appearances:

None.

Old/New Business

1. **Proposed Map/Text Amendment – Kimberly K. Guise & Pamela D. Redding** – Ms. Redding introduced her husband, Brian Redding, to speak on her behalf. Mr. Redding thanked the Commission for listening to them this evening. He indicated that solar leases are for between 20-30 years and generally the solar companies do not purchase the property. When a lease is secured, the property is taken out of clean and green and the back taxes are paid on the full property which is unexpected revenue for the County, Township and School. The owner can then reapply for clean and green if they have at least 10 acres left. After the 20-30 years, the property is put back or nearly back to the way it was. Also, the solar electric facilities have no impact on police, fire and rescue, sewer and water, etc. Mr. Redding reviewed the Adams County Office of Planning and Development letter dated August 8, 2019 with the Commission.

Page 2.C. *Residential Low Density (R-1) District, the County acknowledged that a Solar Electric Facility is already included as a permitted use within the R-1 District.* The property in question is surrounded by property in the R-1 District making a map amendment a good option.

Page 2.D.1. *Timing of Potential Ordinance Amendments Actions – ...there is a good possibility that the Township will receive multiple rezoning requests such as this one as these entities contact and/or contract with individual property owners to be a part of a public utility-scale solar electric facility.* Mr. Redding asked if there are any other text or map amendments at this time of which the answer was no. Since 2010 the solar farms have been an approved use.

Page 2.D.2. *Timing of Potential Ordinance Amendments Actions –...by attempting to rezone individual parcels to allow one specific use to occur, the Township will inadvertently allow a much different use to be developed that was not previously allowed in that and may not be compatible with that setting.* Mr. Redding asked, what specific use? It all looks like R-1 to the west/south.

Page 3.3. *Township will be making a decision with ramifications beyond just allowing a solar Electric Facility without not knowing the full extent and impacts of where such a use will be located.* Mr. Redding questioned what ramifications. The properties need to meet the criteria of the Solar Companies such as not being ag land preserved, proximity to get power out; ground slope, geology, size of parcel, if the owner wants to particulate. All the loops that we need to go through we think it is the right thing. The township needs to look at it as a land preservation. In referencing back to Mr. Clapsaddle's Memorandum from last month, Mr. Redding would prefer Option #2 – Text Amendment.

Mr. Hartzell asked Andy Merkel from Adams County Office of Planning and Development what was the thinking behind the County *strongly recommended that any request for map or text amendments to expand the areas where Solar Electric Facilities are allowed be tabled until the Township is provided with a clearer picture of the full extent of this use so the Township can identify the entire area of the project and consider and potentially approve any necessary zoning ordinance amendments as one compete set rather than in a piecemeal, individual manner.* Mr. Merkel stated that the township should know the extent of the substantial land impact. The Township does rezoning and now the solar electric facility does not happen. We should have the full picture of what you are changing the zoning for. Mr. Mauser asked how big this project is, do we know. Mr. Clapsaddle said we do not know at this time. When will we see all of this, at the time of Land Development Plan? Mr. Hartzell stated we would not see it all at one time because we do not know what the scale is. Mr. Mauser stated that they are planners and need to know what the scope/scale of projects are so as to help the Board of Supervisors with implications for the future. It may be hard to get informal information on these projects until the land development plan is actually filed. Mr. Redding stated that landowner rights need to have a voice. Their farm has been in the family for years and they want to preserve it and keep it there.

Mark Sandoe – If the township is afraid of an explosion of this use, it is his understanding that it requires 270+ solar days and this area only has 187 solar days so this is not an area for harvest.

Dusin Bratic – He delivered a letter from John Eckert to the Board of Supervisors and Planning Commission dated August 28, 2019 in support of a text amendment.

Mr. Hartzell moved, seconded by Mr. Mauser to table this matter not to exceed three (3) months to allow time for township staff to contact solar facilities to request concept plans and to meet with the Commission. Motion carried unanimously.

2. Ordinance amendments –

Agricultural Operation and Agriculture definitions – These are currently not defined in the Ordinance. These definitions are from the Pennsylvania Municipal Planning Code and the Right-to-Farm Act. The township solicitor reviewed the proposed language in Section 2.

Mr. Hartzell moved, seconded by Mr. Mauser to forward this Ordinance to the Board of Supervisors for action. Motion carried unanimously.

Excavation of Streets – To include a section entitled “Openings and Excavation of public rights-of-ways” and to include a means for the township to require bonding/financial security when an excavation permit is requested.

Ms. Hamm moved, seconded by Ms. Kimble to forward this Ordinance to the Board of Supervisors for action. Motion carried unanimously.

Adjournment

Mr. Hartzell moved, seconded by Mr. Mauser to adjourn the meeting at 8:30 p.m. Motion carried unanimously.

NEXT MEETING: SUPERVISORS: September 3, 2019
PLANNING COMMISSION: September 25, 2019

Respectfully Submitted,

Robin K. Crushong, Office Manager