

**Liberty Township, Adams County
39 Topper Road, Fairfield, PA 17320
Planning Commission Monthly Meeting**

July 16, 2019

The Planning Commission of Liberty Township, Adams County, met on Tuesday, July 16, 2019, at 7:30 p.m. in the Liberty Township Municipal Building, 39 Topper Road, Fairfield, for the regular monthly meeting.

Present: Judie Hogan, Chair; Vince Gee, Vice Chair; Barb Ruppert, Secretary; Geoff Grant, Rich Luquette; Dominic Picarelli, Township Engineer;

Not Present: Nancy Wenschhof, Alternate

Chair Judie Hogan called the meeting to order at 7:31 p.m.

Minutes: The June meetings were reviewed. Judy asked to add "SALDO" to Dom's subdivision note in Public Comment. Rich Luquette moved for approval of the meeting minutes with that correction, and Geoff Grant seconded the motion. All were in favor, and the motion passed.

Public Comment:

Hanright L. Taylor, of Nawakwa LLC at 748 Harbaugh Valley Rd., who can be reached at 1240 Nawakwa Road, Biglerville, PA 17307, had comments. He has a 2-acre lot that he would like to put on the market. He owns another 63 acres that is in process with Lee Royer to decide what to present for a final subdivision plan. The SEO has done testing and all has perced. Lee is just finishing the stormwater runoff plan. This was all on hold since 2015 due to the economy. He's not sure what was presented to the township from back then.

Dominic Picarelli said he recalls it: the 2-acre lot was a simple subdivision, a land swap. Mr. Taylor said he realized the house wasn't surveyed right, and he had to do a land addition and land subtraction. He is here because the zoning officer said he has 30 days to respond to his letter noting stormwater runoff from his 65 acres. Rich Luquette noted that this is more of a zoning issue than a PC issue, but at least these PC minutes will get to the supervisors as an FYI.

Mr. Taylor said there is a sewage issue, where his neighbor has a sewage line coming onto Mr. Taylor's property. Or maybe it is a stormwater pipe. But the runoff is not from Mr. Taylor's property; the neighbor is the one who has built structures. Mr. Taylor has sent the zoning officer a letter with the picture showing this (he showed the picture to the PC). Vince Gee said perhaps Mr. Taylor could get damages and removal of the pipe from the neighbor who is encroaching. The PC suggested that he follow up his letter by calling the ZO; and he needs to file a formal complaint with the township via Wendy Peck. If the ZO doesn't respond, he can come to a supervisors' meeting or call a supervisor.

Roger Robinson of 310 Country Club Lane in Gettysburg, regarding property at 195 Pecher Rd., had comments. He's trying to build an accessory building as the primary building on the property. He is in dire need of a property that he can put a modern, aesthetically pleasing pole building up for storage and a workshop. He has two weeks to leave his rental property. He runs a home-based business. Can he purchase the lot tomorrow and submit the building permit? It's not in a commercial zone. It's right on the red line of the airport property

Vince Gee said you can't build an accessory structure without a primary building except for hangars in the airport zone. Dominic Picarelli said hangars were allowed as part of the airport but this wouldn't apply; this use is something in the past that the township didn't want to allow because it could open the way for this to become a commercial garage. It wouldn't meet the intent of what the township wants; but the zoning officer

is the one to decide. If the owner were in a commercial zone, he could call himself a business and there would be no problem. But this is a residential zone, so it may not work.

Judie Hogan said he could apply to the Zoning Hearing Board for a variance, but that wouldn't happen quickly. The PC suggested he look in a commercial zone of the township for property. There might be property on Orchard Road for sale. His business is kit car design, making new bodies for existing cars. He makes shapes but doesn't manufacture things; his business produces no fumes. Dominic said garages aren't allowed in the commercial zone, and he's not sure a one-unit building could be called a storage building. He said Mr. Taylor should talk to the ZO about this. He could apply for a variance with the Zoning Hearing Board but he might not be able to prove a hardship with the land.

New Business:

Washington Township, Franklin County Zoning Changes

Judie Hogan asked if there were any other comments on this from PC members, and there were none.

Burn Ordinance

At the supervisors' July monthly meeting, someone mentioned in the public comments that the township does not have a burn ordinance and should have one. This was supported by several other citizens. For future new business, Judie Hogan obtained county and Carroll Valley ordinances for the PC to review; however, the county one is under revision. She noted that when it is finalized, the PC should take up this matter.

Old Business:

Sign Ordinance

The PC will ask Wendy Peck to put this on its agenda for August. Barb Ruppert and Vince Gee are to research and prepare a revision to present at that meeting.

Campground Ordinance

Judie Hogan and Geoff Grant researched and prepared a suggested revision on this ordinance, section 412 in the Zoning Ordinance, that they presented at this meeting. They said they found two separate issues: camping and campgrounds, so they broke the relevant Zoning Ordinance section down into these areas and added a new section, 412.1. Items for discussion are highlighted in red in their notes. The PC will get a Word document of this section from Dominic Picarelli so that it can more clearly highlight the suggested revisions for PC members to review.

Dominic recommended just one change on initial review: instead of "gray and black water," say "wastewater" to be in keeping with state ordinances.

Judie and Geoff also researched and prepared suggested revisions for the separate Campground Ordinance, with items for discussion noted in red. The PC will also get a Word document of this section from Dominic. Geoff and Judie made sure nothing in the ZO section contradicted this separate ordinance and vice versa.

Barb Ruppert recommended adding a reference to this separate ordinance in the ZO. Dominic suggested that this could be added as 412.3 to state "Other regulations apply as stated in the township Campground Ordinance, as amended."

Barb will compile all sections with noted changes for the PC to review so they can make sure all is consistent and then vote at their August meeting on whether to recommend these revisions to the supervisors.

SALDO Review: Well Ordinance

Rich Luquette noted that wells can't be near property lines because they may interfere with another septic system. Dominic Picarelli said there is nothing he can do about this, per state law, unless we have a well ordinance saying a well can't be 100 feet from a septic line. Rich asked why we don't just prohibit wells and septic systems within 50 feet of property lines. Dominic said this will adversely impact many property owners because we have so many problems getting things to perk in this township; we have bad soil here and we might be hindering people from using their land. The current rule is simply that a septic field can't be within 100 feet of a well, per the state.

Rich noted that the well ordinance issue came up because the township SALDO refers to a well ordinance, but we do not actually have one. The PC thinks it's a public health issue and so would be good to have. But PC members suggested that, before we work on one, we ask the supervisors if they want a well ordinance or if we should just take that reference out of the SALDO. Dominic said an ordinance was obviously brought up and requested, since there is a draft version of one, but for some reason it was never approved. He noted that the ordinance that was drafted is simple and good, but we shouldn't get into enforcement; just make sure folks know their water quality.

Rich said he is not suggesting that we regulate quality of water; that's for the owner to decide. But we should regulate the well casing/construction/structure so that we don't contaminate other property or groundwater. Just make sure owners build wells correctly; that should be part of the ordinance. The old unapproved draft is good except that it doesn't address geothermal systems. He has geothermal wells on the property he bought but doesn't know where they are. There should be a requirement that wells' locations are noted so a new owner can go to township records and find out where wells are.

Dominic said he worked on Mount Joy's well ordinance 10 years ago. He said the supervisors need to keep in mind that someone has to do the well inspection, get paid for the inspection and determine what the price of a well permit is—or they could just require a copy of the statement from the well driller. This statement has yield, depth, type of casing, etc. The PC noted that someone should ask Wendy Peck to ask the supervisors if they want us to work on this. Barb Ruppert will do so.

At 9:10 p.m., Judie Hogan moved to adjourn the meeting. Barb Ruppert seconded the motion. All voted yes, and the motion passed. The next meeting is scheduled for August 20 at 7:30 p.m.

Respectfully submitted,



Barb Ruppert
Planning Commission Secretary