

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

April 16, 2019

The Planning Commission of Liberty Township, Adams County, met on Tuesday, April 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 March 19 meeting minutes were reviewed, with the following correction from Judie: she abstained from voting on the February meeting minutes. Vince Gee moved for approval of the meeting minutes as corrected, and Judie Hogan seconded the motion. Rich Luquette and Geoff Grant abstained from voting because they were not at the March meeting. All others were in favor, and the motion passed.

Public Comment:

Judie Hogan said she and Rich Luquette attended the Board of Supervisors workshop meeting this morning, where there was a presentation on zoning ordinance codification. She reported from the meeting: Mr. Barlow wants the new campground ordinance to read "one camping unit" not "two or more." When he was asked how that would affect campers staying with a property owner, he said it wouldn't apply then because a home has water and sewer the camper can use. The revision is meant to cover undeveloped lots where even one camper is residing and does not have water and sewer provisions, such as happened last year by the turkey barn and on another undeveloped lot, where people stayed in campers there all summer and were discharging effluent. Mr. Lisko did not comment on this issue at the workshop. The supervisors are going to ask the company that is codifying our Zoning Ordinance what the options are. In the meantime, the supervisors would like the Planning Commission to recommend how to reconcile the separate campground ordinance and the Campground section in the ZO.

Old Business:

Campground Ordinance

Dominic Picarelli said it might not be the township that enforces effluent discharge from a camper, but the DEP. Geoff Grant noted that he would rather see the PC address the periodic use of a camper or tent rather than folding that into restrictions around campgrounds because that brings more intensive responsibilities to the property owner. Could we create a permit ordinance for a single camping unit? Geoff has been in neighborhoods that allow no RVs, and in one that allows a visiting RV in the driveway but not on the street, but these neighborhoods all have ordinances to cover this, separate from a campground. Can we create a short-term permit process that addresses sewer, water and long-term camping issues?

Dominic said Mr. Barlow was correct in that a residential property owner cannot rent out space to an RV. Other ordinances say you can have an RV parked in your driveway to store it. Pure planning-wise, it makes sense to have a permitting process for one person. Dominic says a court might find it unreasonable to call one camping unit a campground. The county might also find you infringing on a property owner's right to use an RV on their property.

PC members would prefer creating a camping permit to calling one RV a campground. We could put a short time limit on the permit and require sewage and water provisions. If a person violates the permit, their vehicle will be towed at their expense.

Members drafted some bullet points that would be key features of the permit:

- Call it a Temporary Camping Unit permit.
- You will need to get a permit through the township with a fee by resolution.
- Applies to living in tents, RVs, any camping units, not storage of such units.
- There may be no discharge of sewage or water.
- Anything 2 days and over needs a permit. Permits are good for 10 consecutive days. Each lot is only allowed 2 permits per year.
- Violation of the permitting process results in towing and impound of the unit at the property owner's expense. This notice should be written on the permit itself.
- Maybe put this in Section 301, as 301.9.

Dominic said the quickest way to put the permit through and address the concerns of the supervisors is to add it as an amendment to the ZO, where the county has 30 days to review it. For a separate ordinance, they have 45 days to review. Dominic would also change the Camping Unit definition in the ZO to delete "in a campground."

In a separate place in the ZO, it already specifies that you may store an RV in your driveway, so that is not part of the permit; see Section 302.1.

When you apply for a building permit, you can apply to live in a temporary RV and use the on-lot septic until you move back into your house, so that is not part of the permit.

The permit does not apply to migrant housing; that's a separate ordinance.

PC members agreed that a PC representative should present this permit idea at the next Board of Supervisors workshop.

Vince Gee made a motion that the Planning Commission asks Wendy to put the PC on the next workshop agenda to discuss key provisions for a temporary camping unit permit, and requests that the township zoning officer be in attendance. Geoff Grant seconded the motion. All were in favor, and the motion passed.

PC members reviewed the Campground section in the ZO and noted that everything in it was also in the separate campground ordinance. The separate ordinance has additional details. In an email of April 11, 2019, the township solicitor noted:

Due to the fact that the Campground Ordinance was enacted in 2009, the Zoning Ordinance was last amended in 2016, and the Zoning Ordinance has a repealer clause stating that all other ordinances or parts of ordinances in conflict with or inconsistent with the Zoning Ordinance are repealed; it is my opinion that the requirements for campgrounds as set forth in the Zoning Ordinance would apply. If the Township desires the Campground Ordinance regulations to apply, then the Zoning Ordinance needs to be amended to simply state that campgrounds are permitted subject to the requirements as set forth in the Liberty Township Campground Ordinance.

The PC agreed that the township should have a separate campground ordinance and in the ZO, it should just say, "See the Campground Ordinance."

Barb Ruppert made a motion that the PC recommend replacing the material in Section 412 with the statement:

Section 412 Campgrounds
Please see the township's Campground Ordinance, as amended.

Vince Gee seconded the motion. All were in favor, and the motion passed.

SALDO Review

Section 410: Rich Luquette and others brought up typos. He also noted there are references to PA DEP and we should spell out "DEP" everywhere, for reading ease. The PC noted that it needs the township secretary to find the Word document for the SALDO and input changes she noted while she was PC secretary. Then she or Barb Ruppert can add recent changes the PC is noting.

Well Ordinance

Rich Luquette asked who oversees construction of wells to make sure they are in compliance? Dominic Picarelli said there's nothing to inspect because you can't see anything but the well casing once a well is finished; you can't see how deep it is. He noted that the state recommended having a separate well ordinance, but they're pretty simple. He recommends a requirement to have well water tested.

Rich made several notes and suggestions for a well ordinance, noted in an email of April 10, 2019, to the PC. He suggested we look at Hamiltonban's ordinance and the Adams County construction standards to develop a well ordinance. Dominic also suggested looking at Mount Joy's well ordinance.

New Business:

May 22 Meeting Date

The meeting cannot be held May 21 because it is Primary Election Day. It will be May 22. Barb Ruppert will be out of town so someone else will have to act as secretary. On May 22 will also be the supervisors workshop meeting. Vince, Geoff and Rich can be there to present campground permit ideas. It's at 11 a.m.

At 9:33 p.m., Barb Ruppert moved to adjourn the meeting. Vince Gee seconded the motion. All voted yes, and the motion passed. The next meeting is scheduled for May 22 at 7:30 p.m. It will not be held if there are no submissions to review.

Respectfully submitted,



Barb Ruppert
Planning Commission Secretary