

OXFORD TOWNSHIP PLANNING COMMISSION MEETING MINUTES

August 12, 2020

Chairman Linda Buffenmyer called the meeting to order by the Pledge of Allegiance to the American Flag at 6:30p.m. The following members were in attendance; Linda Buffenmyer, Larry Feeser, Verna Feeser, Ronald Groft, Mario Iocco, Robert Martin and Victoria Nicholson. Sitting with the members were Township Engineer Terry Myers, Zoning and Code Officer Darrin Catts and Secretary Beverly Shriver.

Motion on Previous Meeting Minutes:

Larry Feeser second by Ronald Groft motioned to approve the June 10, 2020 meeting minutes as presented. 7 Aye Votes

Public Comments Non-Agenda Issues: None.

Plans with Representation:

Jeremy S. & Jayme King Final Subdivision Plan: Jeremy and Jayme King were present on behalf of their plan. Robert Sharrah is the Engineer for the Subdivision Plan. Terry Myers explained this is a 132-acre property; 60 acres are in Hamilton Township and 72 acres are in Oxford Township. The property is located at 743 Oxford Road. There are four new lots proposed. There are two, two (2)-acre residential lots; one thirty (30)-acre agricultural lot and one ten (10)-acre agricultural. All the new lots are located in Oxford Township. This is in the Agricultural Zone.

Darrin Catts and Terry Myers are waiting on an interpretation from the Township Solicitor. Catts is of the opinion that there is case law that says, when you look at this you have to look at the whole parcel regardless of it being split in two different townships. Catts is determining the development rights as using the total 132 acres; from 90 up to 132 acres you would get two more rights. Which would be 6 plus 2 development rights. Catts explained Manor House Rules; which in this case the house is in Oxford Township; all of the existing buildings are in Oxford Township; taxes are paid to Oxford Township and on the County GIS site it is listed in Oxford Township. All of the lots created are in Oxford Township. That is why Catts is of the opinion the entire parcel acres should be used when calculating the development rights.

Terry Myers is calculating only the acres in Oxford Township which would be 6 development rights.

The King's plan is designed using 6 development rights; not counting the full 132 acres. All the lots need to be marked what the use is for that lot; and that will dictate how many development rights you used to create that lot. Lot #3 Agricultural, Lot 2 & Lot 4 are two Residential lots using 1 development right each. Lot #5 is Agricultural There would be 2 or 4 development rights left depending on the Solicitor's interpretation. It should say on the plan where the development rights will go; with the parent tract or sell them. The Kings should let Sharrah know what they want to do with the development rights before he resubmits the plan.

C. S. Davidson Inc. sent a comment letter dated August 7, 2020. Sharrah sent a response comment letter dated August 12, 2020. Not having Adams County's Planning & Development review comment letter; the Planning Commission could not take any action tonight, but could let the Kings know how they felt about the comments.

Sharrah is requesting;

1. relief from installing any fire protection systems for the proposed dwellings. Section 22-304D Fire Protection System says there is a need for fire protection in excess of three lots or

dwelling units or for any industrial or commercial development, construct underground holding tank system for storage of water or a pond system, an automatic sprinkler system with a secondary tank system to hold water or alternate fire protection systems as may be approved by the Board of Supervisors. The Kings decided to take Lot #5 off of the plan so they would only be creating three new lots which would not require fire protection.

2. Section 22-304.1 Feasibility Report on Water Supply and Facilities: Since the Kings are eliminating Lot# 5 they are under five (5)- lots and this report is not required.

3. 22-306 Carbonate Assessment: King reported there are no sink holes or undrained depressions on or near this property. Terry Myers advised if a certification is put on the plan and signed by a licensed professional than a waiver is not required.

4. 22-308.B.8 Certification of Field Run Topography: They provided the general lay of the land but still need to ask for a waiver of this requirement. The Planning Commission would be ok with this request. Stormwater can be dealt with during the individual permit process.

5. 22-403.13 Roadway Improvements: The Planning Commission would be ok with this request.

6. 22-503 Curbs: The Planning Commission would be ok with this request.

7. 22-504 Sidewalks: The Planning Commission would be ok with this request.

The Planning Module will be an exemption; no action by the Planning Commission just Board of Supervisors.

Zoning Hearing Special Exception for Woodhaven Home LLC/Joseph Ittner Jr. & Stuart Ellen Ittner for an In-Law Quarters located at 198 Onyx Road: Woodhaven Homes is building a single-family home and is proposing to install an in-law quarter in the basement. An In-Law Quarter is by Special Exception allowed in all districts but approved by the Zoning Hearing Board. Larry Feeser second by Robert Martin motioned to recommend the Zoning Hearing Board grant Woodhaven Homes LLC/Joseph Ittner Jr. & Stuart Ellen Ittner a Special Exception for an In-Law Quarter at 198 Onyx Road. 7 Aye Votes

Zoning Hearing/Variance for H.A.R.T Center to have 450 E. Golden Lane accessory building located in front yard, 27-404 at least 75 feet from the road right-of-way: Larry Feeser second by Ronald Groft motioned to recommend the Zoning Hearing Board grant the H.A.R.T Center a variance to Chapter 27-404 to have an accessory building located in the front yard 25 feet from the E. Golden Lane right-of-way. 7 Aye Votes

There was discussion on the Fire Suppression regulation of underground tanks:

Since the fire companies have acknowledged earlier on that the underground tanks aren't a huge help to them. Larry Feeser proposed deleting them from our codebook. Feeser suggests giving the tanks to the homeowners and get rid of the burden of expenses for the Township. If the tanks are no longer required in the ordinance; the Township should give those tanks back to the property owners to maintain themselves. If the property owners don't want to use the tanks because there is public water nearby; they could dedicate them to the fire company. The Township would want to get an opinion from the fire company. With Darrin Catts background Terry Myers recommended the Planning Commission direct Catts to work with the fire company to review section 304D. to see if it needs modified and come back with a recommendation to the Township of what the Township should do with the existing tanks. This ordinance is ten years old. Catts agreed to talk to the fire company.

Adjournment: Larry Feeser second by Ronald Groft motioned to adjourn the meeting. Motion carried. Meeting adjourned at 7:50p.m.