

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

Sept. 21, 2021

The Planning Commission of Liberty Township, Adams County, met on Tuesday, Sept. 21, 2021, at 7:30 p.m. in the Liberty Township Municipal Building, 39 Topper Road, Fairfield, for the regular monthly meeting.

Present: Judie Hogan, Chair; Rich Luquette, Vice Chair; Barb Ruppert, Secretary; Horst Stehmer; Brandon Guiher, KPI

Luther Ridge, Planning Commission applicant; Mickey Barlow, Liberty Township Supervisor

Not Present: Nancy Wenschhof, Alternate

Judie Hogan called the meeting to order at 7:30 p.m.

Minutes: Rich Luquette motioned to approve the Aug. 17 minutes with one editorial change, and Horst Stehmer seconded the motion. The Aug. 17 meeting minutes were unanimously approved as amended.

Chair Comment: None

Public Comment:

George Wilders of 203 Harbaugh Valley Road said he consulted with Lee Royer and spent thousands of dollars for a sketch plan that wasn't approved by the Board of Supervisors and so was advised to get a lawyer. Before he spends more money on a lawyer and changing the driveway and the sketch plan, he wants to know if it would even get approved. He wants to divide one of his two lots so he can add a new house requested by his wife. A major thing holding this up is the 1981 subdivision plan saying the property can't be subdivided. Also, Brandon Guiher and the PC explained the proposed lot has no road frontage, and a shared driveway doesn't count as road frontage. The road frontage required in the Conservation District is 125 feet. Mr. Wilders is willing to put a private driveway in, deeded to the 10 acres. Judie Hogan read to the members a May 10, 2021, letter from the township supervisors to the Wilders saying his request for plan approval must be submitted to the Zoning Hearing Board. Or, Judie noted, he could request a variance from the supervisors. The question of changing the last subdivision plan is a legal question, so the PC suggested he start there with a lawyer.

Old Business:

None

New Business:

Review of Final Minor Subdivision Plan—Greenview LLC – Washington Township, Franklin County/Liberty Township, Adams County, Dated 8/18/21

The Greenview plan is subdivided on the county line. The big issue is confirming township boundaries. No information received from Washington Township yet. County comments have not yet been received. The Zoning Officer had no comments. KPI's comments of 9/1/21 are fairly standard, but KPI recommends that the supervisors not approve the plan until Washington Township has approved the plan.

Review of Request for Planning Non-Building Waiver for Final Minor Subdivision Plan—Greenview LLC – Washington Township, Franklin County/Liberty Township, Adams County, Dated 8/18/21

Rich Luquette made a motion to table the review of the plan and the request for a non-building waiver until Washington Township and Adams County comments have been received. Horst Stehmer seconded the motion. All voted yes, and the motion passed.

Review of Final Minor Subdivision Plan—Brown – 25B18-0019A--000, Dated 6/21/21

The Brown plan is a simple lot addition, changing the line between the two lots. Ken Scott of Beyond All Boundaries attended and asked if it was normal to change the development areas from a previously approved plan. The Brown plan of 2010 shows the development areas, but Adams County comments of 9/17/21 tell him to remove the development area from the plan. Zoning Officer comments of 9/13/21 tell him to include existing driveways and buildings in the development area, but these were not shown in 2010. He doesn't think it's the intent to make the development area include road access.

Brandon Guiher said the Zoning Officer interpreted "development area" to include all driveways; or one could interpret it as the building area. The actual definition is the area set aside for buildings "and other uses," so does that include driveways? Whether or not driveways are permitted in the conservation area is a question for the ZO. If comments conflict, must go with the ZO's decision.

KPI's comments of 8/24/21 also say an additional right-of-way is needed along Harbaugh Valley Road. Getting the additional right-of-way is a state question or possibly a federal question, as the property/road is alongside Site R. Ken said he wanted to ask the ZO all of these questions before he made a plan, but he was told by the township that he had to submit a plan first. So he was stuck with charging his client money, submitting a plan and having to address these comments after that, if possible.

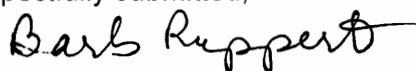
Judie Hogan motioned to table the review of the plan until Ken Scott could talk to the Zoning Officer to see what he needs, since the Zoning Officer's decision supersedes a Planning Commission decision. Horst Stehmer seconded the motion. All voted yes, and the motion passed.

Review of Request for Planning Non-Building Waiver for Final Minor Subdivision Plan—Brown – 25B18-0019A--000, Dated 6/21/21

The sewage issue has been resolved. Judie Hogan motioned to approve the planning and non-building waiver so that once the Zoning Officer approves the plan, the process can move on. Barb Ruppert seconded the motion. All voted yes, and the motion passed.

At 8:34 p.m., Horst Stehmer moved to adjourn the meeting, and Rich Luquette seconded it. All voted yes, and the motion passed. The next meeting is scheduled for Oct. 19, 2021, at 7:30 p.m.

Respectfully submitted,



Barb Ruppert
Planning Commission Secretary