

Halfmoon Township Planning Commission Meeting Minutes
7:00pm June 2, 2009

Attendance: Lorin Nauman, John Stevens, Larry Fennessey, Joe Tylka, Bob Eberhart, and Rob Brooks. Members Absent: Jordan Finkelstein. Others present: Karen Brown, Acting Township Manager; Greg Love, zoning Officer; Becky Brooks, minute taker.

- I. Call to order- Chair Lorin Nauman called the meeting to order at 7:10 pm.
- II. **Minutes. Motion. Mr. Brooks made a motion to accept the minutes of May 5, 2009, Mr. Stevens seconded. Vote 6-0.**
- III. Citizen's comments. None.
- IV. BOS Report. Mr. Love led the discussion.
 - A. Nuisance Ordinance. Mr. Nauman asked if the Ordinance exempts Ag security land. Mr. Love said that is covered in 201 C. It is a State Law to exempt Ag security land. Burning of tires, asphalt etc is against State Law.
Karen has spoken to the Solicitor who has not yet made any changes, but she said that it basically looks OK, and she will add noise to the Ordinance.
Page 4 #6 will be changed.
Page 1 Section 103. There was discussion about property devaluation vs. nuisance. Mr. Tylka said that decreasing the value of a property is a big deal, and neighbors not maintaining their property it would decrease the value of the neighborhood. Mr. Love said that this issue might fall in a different Ordinance. Mr. Brooks suggested asking the Solicitor about adding "value of property" to the Ordinance.
Page 2 A. This covers accumulating stuff on rights-of-way, etc.
Page 5 A. This covers anything. (If someone knocks down a barn, etc. Karen could put a note there saying, "See exclusions".
Mr. Love cleared up a few more questions the PC members asked.
There was a discussion about public health and safety.
Page 2 C. change "elimination" to "illumination".
Mr. Nauman asked what is acceptable burning? Mr. Love said that anything that is not on the list is allowable. There is not a burn barrel requirement.
Page 2 E. Change to "excessive omission of noxious odors or which cause fire hazards or which pollutes the air."
Page 4 #4. Eliminate "equivalent to noise which..." The paragraph was edited to make two long sentences out of one long one.
Page 4 #6 Take out "less than two acres".
Enforcement was discussed.

Page 6 D. Change "of 5%" to "plus 5%".

Page 6 303. Penalties and fees were reviewed.

Page 6. 304, 305. Ask the Solicitor for clarification and simplification.

- B. Manager's ordinance. The PC wondered why a bond needed to be posted for the Manager. Karen explained some of the other issues in the document. Section 7 #4- Requiring that the Town Manager attend all the BOS meetings as well as all the committee meetings, seems excessive. The PC suggested that the document say that the Manager should attend the BOS meetings, and may attend other committee's meetings.
- V. CRPA. Wind Generation. Mr. Nauman had found that avian mortality rates have decreased. It seems the placement of the turbines makes a difference. He found no evidence of bird kills with personal wind devices less than 10 kW units. There have been problems with migrating bats at night. Mr. Brooks said that the PC has an idea of what they want in the Ordinance. Perhaps the PC will wait to see what Mr. DeGregorio has compiled. Mr. Fennessey said that the Ordinance should be more conservative to begin with, and change it, as we need to. This is a new trendy, bandwagon issue and the Ordinance needs to be conservative to protect the Township, and then change it if necessary. Mr. Nauman said that 35 feet is a standard height. He added let's not create an Ordinance for an energy saving way to create electricity and then make the Ordinance so restrictive that people are unable to do anything. We need to do wind studies to get the proper height necessary. Mr. Love said that once a homeowner can start to sell energy back to the electric company, he/she is taken out of Clean and Green. The PC said that this policy needs to change. Mr. Mark Kellerman of Centre County Assessment is the person to call regarding this issue. Mr. Stevens suggested having someone come and talk to the PC about wind generation. The consensus is to create a conservative residential Ordinance. Mr. Eberhart said that the PC should wait and see what Mr. DeGregorio has written up. He thought that the township cannot ban commercial wind turbines. The PC said that the Ordinance must have restrictions.
- VI. Zoning Officer's Report. Mr. Love distributed the Wildlife Corridor Project Document. The property is going through the survey, appraisal process.
- VII. Developments
- i. Barr Farm Property. No report
 - ii. Thompson Property. The PC will be asked to act on this property at their next meeting.
- VIII. RVZD. Mr. Love and Mr. Brooks reported. The legal review is in progress. The Solicitor had two questions that need to be resolved. There was a question of the Township taking over private roads, and how it affects liquid fuels. There is also a question about the fee-in-lieu amount, and the development rights price. The Solicitor wants to attend the meeting when this document is discussed. Mr. Brooks or Mr. DeGregorio will give a short presentation (10-15 minutes) at the next BOS meeting on June 11, 2009. The PC subcommittee has had 2 meetings

with the Solicitor and there are still a couple of minor issues. The cost per acre was discussed.

The meeting was adjourned at 9:00 pm.

Respectfully submitted,

Rebecca Brooks