

Halfmoon Township Planning Commission
100 Municipal Lane, Port Matilda PA 16870

Minutes
Wednesday, November 7, 2007

Attendance: Lorin Nauman, John Stevens, Bob Eberhart, Larry Fennessey, Scott Sheeder: Planning Commission. Members absent: Dave Piper, Rob Brooks. Greg Love, zoning officer; Reed Moyer, BOS; Tom Huber, PSU student; Mark Maloney, Chris Rand: Halfmoon Acres; Mark Saville, Tricore; Sebastian DeGregorio, CRPC; Becky Brooks, minute taker.

- I. Chair Mr. Nauman called the meeting to order at 7:05 PM.
- II. Minutes; **Motion. Mr. Sheeder moved to accept the minutes of, October 16, 2007. Mr. Stevens seconded. Motion passed, unanimously.**
- III. Citizens Comments. Mr. Huber said he was there to observe the PC meeting for a Geography class taught by Greg Knight.
- IV. Reports-
 - A. BOS meeting.
 1. Tammy Perkins and Barbara Spencer will replace Jim Andrews and Christine Bracken Piper.
 2. Mr. Neff voted against the well Ordinance, so the ordinance failed. The town will readvertise a public meeting and the Ordinance will be on the agenda December 15th. The backup date is the second meeting in February.
 3. East Mahala Street. The BOS made their final decision -the road will become a public road. The Township will take over maintenance of East Mahala.
 - B. Zoning. No report.
 - C. Regional. No Report.
- V. Stream Buffer Ordinance. Mr. DeGregorio reiterated that the PCs of all the Townships were asked to review the document and submit comments. Halfmoon Township's PC will discuss and the comments will be submitted to the BOS Thursday, November 8th. Mr. Eberhart will compile the comments. The following comments were discussed:
 - A. Mr. Fennessey asked that there be a distinction between agronomic (meadow or pasture) and animals (feedlot).
 - B. Mr. Fennessey asked why "fences" were included. Mr. DeGregorio said they should not be, and will be removed.
 - C. Mr. Fennessey discussed the 150-foot buffer. Anything larger than that would trigger a permit.
 - D. Mr. Fennessey asked if the current map showed a " suggested area". Mr. DeGregorio said yes, it is not yet a definite area.
 - E. Mr. DeGregorio suggested that the PC recommend that distance (150') on either side of the stream (stream overlay district) be implemented.
 - F. Mr. Sheeder-Pg 11 B. He suggested eliminating new golf courses (existing one would be grandfathered) because golf courses are some of the worst polluters.
 - G. Mr. Eberhart- Section 11. Vehicular crossing standards. He suggested eliminating "vehicular", or retitle the segment altogether.

- H. Mr. Eberhart- page 5. Item 1. Do you want the steep slope distances to be that big? Mr. Fennessey said yes, we want to protect the integrity of all steep slopes.
- I. Mr. Eberhart- page 12. Is sod farming prohibited? Is it agriculture? Has it been separated from agriculture? Mr. Fennessey thought that sod farming would not be possible in this area.
- J. Mr. Eberhart- page 6 c. He thought that this item does not need to exist.
- K. Mr. Nauman. This document does not address people who lease land to someone who grazes their pregnant cows and the ships the calves out to be raised and milked elsewhere.
- L. Mr. Nauman said that if you mandate elimination of non-native and invasive species, how do you manage invasives and who will follow up on that? Mr. DeGregorio said that is a well-intentioned concept, but it may be impossible. Does it apply to municipal land?

Mr. DeGregorio said that the document is a good start, and he wished it could go farther. He added that the PC had addressed some important issues and he asked that the PC submit these questions, and any others that PC members may have, to the BOS. Mr. Eberhart asked if it is true that 80% of the impairment is due to agricultural run-off or is it municipal. There was a brief discussion about this issue.

VI. Subdivisions.

- A. Tricore. Mr. Saville presented a plan for the property (Formerly Sedgefield). The property is 110 acres and one 33.6-acre lot is being subdivided off, so there will be 2 lots on the property. Mr. Saville will fix the well issue on the plan. It is possible that the lot may potentially be a family transfer. It is not feasible to do a larger development. Mr. Love said that most of the comments have been addressed, though he has not gotten all the physical comments back yet. The plan uses one lot exemption. The PC decided to table the plan until the issues have been submitted in writing and they have a chance to review the plan. There was discussion about the septic issue; whether the existing septic was a farm exemption, and the question of malfunction. PC members commented that there would be plenty of space to build a new system if it became necessary.
- B. Orchard Manor. A time extension has been filed. Mr. Love said they were going through some severe DEP delays, and doesn't think it will be done this year.

VII. Halfmoon Acres.

Mr. Nauman started by saying that he had spoken to members of Spring Creek Commission and an Agriculture Agency and they did not see how fee-in-lieu would work. We do not have a TDR to do that with. There is no mechanism to facilitate that exchange. There is nothing to sell. The landowner owns the development rights after the 99 years. The land has to be appraised for a conservation easement. Mr. Moyer asked if the money from this plan could go into its own account to be managed and used by the Open Space Preservation Plan. The PC discussed this possibility.

Mr. Moyer also said that he would like to see the developer find the available land and establish a market value for the land. Mr. Love said that the Mt. Joy program is part of a larger TDR program. Mr. Moyer said that there could be extra density for the money that was given to preserve land. It does not have to be a TDR program. Mr. Nauman asked how the fee-in-lieu would be determined. Locally \$4,000 per acre is being paid for development rights. Mr. Moyer said that the 99-year to infinity is not giving anyone who

is alive today any value. It is a cheap way to get acreage. The township needs to get a fair price for the increase in density. Mr. Maloney said that the issue is, how much? He does not necessarily want to do A-1.

Mr. Nauman asked again one would establish a fee-in-lieu arrangement. The OSPP does not have the mechanism to go from lease to permanent. Mr. Moyer suggested that, if the fee-in-lieu were put into the OSP Program, the OSPB could either buy or lease land with the money that the developer has contributed. Mr. Sheeder said that if the Township were to get the money and not have any buyers, then they would have to sit on it for 15 years, which would not be a good investment. Mr. Moyer said that the Township would not want the money until they could use it. The Township can only earn 3% on it.

Mr. Love said that we need to get together with Mr. Weingarten again to discuss these issues. There was discussion as to whether there is a time limit that the Town can keep the money before the money has to revert back to the developer. Mr. Eberhart said that the problem is that we need the money now for the land or else the land will be gone. Mr. Maloney asked if the developers need to increase the money up front. They will try to commit more money up front. Mr. Nauman asked how we determine fair worth? Mr. Maloney asked if it would be fair to pay the same as the OSPP? Mr. Moyer said yes, he thought that would be viable.

Mr. Maloney said they would work on fee-in-lieu, and that Mr. Weingarten would attend the next PC meeting. We need to figure out what fee-in-lieu is based on. Perhaps if 300 extra units are approved perhaps we could pay the equivalent yearly, like the lease program, instead of waiting until the house is built. We will think about paying a portion early so that we can preserve early.

The meeting was adjourned 9:00 PM.

Respectfully submitted,

Rebecca P. Brooks, minute taker