

Halfmoon Township Planning Commission Meeting Minutes
7:00pm June 17, 2008

Attendance: Lorin Nauman, Rob Brooks, Bob Eberhart, Larry Fennessey. PC members absent: Scott Sheeder, Dave Piper, John Stevens. Others present; Karen Brown, Acting Town Manager; Sebastian DeGregorio CRPC; Greg Love, Zoning Officer, Mike Evanko, Jason Slocum, Becky Brooks, minute taker.

- I. Call to order- Chair Lorin Nauman called the meeting to order at 7:10 pm. Mr. Brooks moved to accept the minutes of June 3, 2008, with one correction (Section IV add "Mr. Piper abstained."). Mr. Fennessey seconded. The minutes were approved unanimously, 4-0.
- II. Citizens Comments. None.
- III. Reports.
 - A. BOS-
 1. The OSPP ordinance changes were approved by the BOS on June 12, 2008.
 2. A woman had called the Township office about her cat being shot with a bow and arrow, and she requested a review, and Mr. Love said that it is out of our jurisdiction and is handled the PA Game Commission.
 3. The Riparian Ordinance was presented and discussed.
 - B. Zoning Officer Report.
 1. They are doing a 911 review of lot numbering along roads.
 2. Permit applications are increasing.
 - C. Centre Region.
 1. Mr. DeGregorio continues to present the Riparian Ordinance to townships this week.
 2. One of two Development of Regional Impact (DRI) application strategy meetings was held June 16th. Those present were Mr. Crum, Mr. DeGregorio, Ms Brown, Mr. Moyer and Mr. Brooks. The second meeting will be held in Harris Township. CRPA has been receiving comments from various services and utilities, but most indicate impacts will not be substantial. A public water supply could be provided if the water authority were to be invited as the provider. Gray's Woods has not yet responded. Mr. Eberhart asked if the COG reviewers would receive the Ordinance in the DRI packet; they will not, because of the

complexity. They will receive the DRI application. Future dates: Mr. DeGregorio to complete the DRI application - July 1, BOS needs to accept - July 26, CRPA/COG mailing - July 31. Presentations to Centre Region planning in early August and early September, if needed. Final COG review in late September. Recommendations will be advisory only.

IV. Subdivisions.

A. Mr. Evanko presented Poorman Trailer addition. They want to add a trailer to the property for the daughter to live in; she currently manages the on-site autobody shop. The review comments that were submitted have been addressed, and they need to be corrected on the Site Plan. Mr. Love said that the plan can be approved because the property is zoned Agriculture, and this is a permitted use by right. Mr. DeGregorio added that it is a legal use and a legal expansion. The PC commented that these uses are not always compatible with Agriculture, and the Township needs to consider revising the current Ordinance for A-1. Mr. Fennessey said the sooner the better. Mr. Brooks said that the PC should review that section of the Ordinance and make this major change, before codification. Mr. Love will email the section to PC members. Motion. Mr. Brooks moved that the PC approve the plan conditional on the comments (yet to be received) from the SEO and the Engineer (that they are satisfied with the plan) before final approval. Mr. Fennessey seconded. Vote 4-0.

B. Carr - Chelman property. Mr. Love reviewed the letter from Solicitor Yurchak. Mr. Slocum said that there seems to be nothing prohibiting a second and a third primary dwelling on the property. Ms Yurchak's letter states that there can be 2 primary dwellings and one accessory dwelling unit. Mr. Slocum said that the property owners want to keep the land Planning Module moving forward, and feels that the issues on the Planning Module have been rectified. Mr. Love said that the Bed and Breakfast issue has been addressed; they are waiting to close the case. Mr. Slocum added that the owners have abandoned the attempt to be a B & B. In this proposal the garage would become a single-family unit, and another DU would be built on the property. The plan meets the RPD requirements for open space from the previous subdivision of a lot (5.58 acres are preserved). Mr. Eberhart asked if the exemptions have been used. Mr. Love said that the Chelman proposal says that all exemptions have been used. Mr. DeGregorio said that he doesn't think the exemptions have been used or they have not been properly documented.

There should be a note on the plan which will indicate the possible # of units, based on the solicitor's comments.

How many DUs can be built on the property? The number of possible DUs is between 5 and 10 more units depending on the primary conservation areas and soil types, etc. Mr. Brooks asked if the garage/carriage house setback issue had been resolved. Mr. Love said the garage is grandfathered. Ms Brown said that she thought the breezeway of the carriage house is on the adjacent property. She asked if the garage is going from a garage to a primary dwelling, isn't that a change of use? Mr. DeGregorio said that it is a non-conforming structure and issues should be documented. Mr. Love said that there is an agreement drawn up about the driveway and utility easements for the various property owners to sign. Mr. Fennessey asked if the 2 houses can be subdivided from the property at a later date? Mr. DeGregorio said that there should be a note on the plan that the proposed house and the existing house could never be sold on separately deeded lots.

Mr. Brooks asked what the landowner wants to happen. Mr. Slocum said that they want to process the planning module, so they can move forward with their plans. The PC wants to amend the letter from Ms Yurchak with the proper wording about the DUs. The PC recommends sending the plan forward with 3 edits: 1) The proper wording from the Solicitor about the DUs, 2) the plan note on what is allowed in the future with regard to subdividing lots, and 3) a description of how the RPD requirements were handled needs to be on the planning module. Mr. Slocum said that he would like to send this on to DEP. The DEP wants to see it because of the sewage for the new house and the conversion of the garage. (The Land Development Plan is separate.) The plan should indicate that the garage is to be a house.

Mr. DeGregorio said that there are several issues that he is concerned about. In #5 there are enough issues that DEP needs to know, for example, the proximity of the wetlands, soils, drainage way, sewage location, infrastructure, etc. Mr. Brooks thinks that Mr. DeGregorio's comments are warranted and should be included in his review. DEP will probably allow the plan but Mr. DeGregorio wants to make sure that these issues are noted, and that there is concern. Mr. Brooks said that all these issues need to be resolved before it goes forward.

Mr. Fennessey said that if an 800-gal/day sewage system requires a sewage planning module, why isn't the Poorman property doing a sewage plan? There is concern that there are some inconsistencies about how sewer issues are being handled.

Motion. Mr. Brooks made a motion to move the Planning Module forward to the BOS for consideration, but not the Land Development Plan. Mr. Fennessey seconded. Vote 4-0.

V. Riparian Buffer Ordinance. Mr. DeGregorio updated the PC about the Ordinance. He explained where the process is at the moment. Halfmoon's comments were addressed in the first round. He asked if anyone had any additional comments. There was a discussion about the Riparian Overlay. Mr. DeGregorio asked Mr. Brooks what defines any wetlands that are not on the map? Mr. Brooks said that the maps are not regulatory, any site to be subdivided that has wetlands need to show those on the plan whether or not the wetlands are on the "official map".

Mr. Brooks said that on pg. 4 C-1 the document should include "outer edge of defined channel" in the list. He added that the definition of wetlands is accurate.

Mr. DeGregorio asked if there were any additional comments. They are eager to get a document on the books, something is better than nothing. He added that it would be possible to distribute the document to the Townships in the fall, after the edits have been made. The municipalities may want to tweak or supplement the Ordinance, to tailor it to the Townships. We have the opportunity to do something important. Mr. Fennessey wants to be sure that the document explains why Agriculture is essentially exempted in the Riparian Buffer Ordinance.

Motion. Mr. Brooks moved that the PC have no major comments on the Model Stream Buffer Ordinance; they commend the committee for its efforts, and recommend that the BOS continue to head for adoption in the fall. Mr. Eberhart seconded. Vote 4-0.

(Mr. Fennessey would like to get the cows out of the streams.)

VI. Other business. Mr. Love said that he talked to Mr. Hilshey from ClearWater Conservancy and the wildlife corridor project is moving forward, they are going through the process to enroll the property.

The meeting was adjourned at 9:09.

Respectfully submitted,

Rebecca Brooks