

HALFMOON TOWNSHIP
Planning Commission Meeting
March 2, 2010 7:00 pm

Present: Lorin Nauman, Joe Tylka, John Stevens, Danelle Del Corso, Bob Eberhart, Larry Fennessey, Jordan Finkelstein
Absent: none
Others present: Sebastian DeGregorio, CRPA; Susan Steele, Township Manager; Joe Mazzuca, PSU CE student; Melissa Gartner, recording secretary

1. Call To Order

Chair Lorin Nauman called the meeting to order at 7:02 p.m.

2. Citizen Comments

None

3. Approval of February 16, 2010 Minutes

Motion. After corrections were discussed and made, Mr. Finkelstein moved to approve the minutes of February 16, 2010. Mr. Fennessey seconded. Vote: 7-0.

4. Reports

a. BOS Update

Ms. Steele reported the Board of Supervisors met on February 25. She passed out copies of her notes. The BOS spent time discussing sustainability. Chair Stevenson felt the drafted RVD was using components of the Brandywine presentation from the Spring Creek Watershed Commission meeting. A public hearing on the proposed conservation lease agreement for OSPP was held. Modifications to this lease agreement have been forwarded to the solicitor, and will be completed by the beginning of April. The BOS appointed new members to the Open Space Five Year Review committee. The review would begin in April-May 2010. They approved CNET sponsorship of Interfaith Mission (a volunteer program), which is included in the contract to pay for supervisor meeting coverage. They also set the CPI for the Open Space Preservation Program at \$29.89 per acre for 2010 lease payments.

b. Centre Region Update

Mr. Mark Stevenson, Mr. Jim May, and Mr. DeGregorio had met previously with DEP regarding Halfmoon Acres and wastewater disposal and sent comments to DEP. They received DEP's response stating DEP agrees with the draft plan with minor corrections. DEP did respond that until the zoning for Halfmoon Acres is changed, they will not grant final approval on the RVD and the wastewater facility. Currently, Patton Township is zoned A-1, and Halfmoon Township would likely need a zoning change to accommodate the Halfmoon Acres development.

The CPRC meeting will be held on Thursday, March 4. One agenda item will be Mark Holdren, College Twp Planner, who has been working with Penn State and the Engineers Corps to address zoning changes for land development. These changes would include the planned research and business park zoning.

Please note that on Wednesday, March 17, the Halfmoon Township's Comprehensive Plan meeting (held only every 10 years) will be held. An Open House will be held at 6:30 p.m. and the formal meeting will begin at 7:00 p.m. and last till approximately 8:30 p.m. [State College Borough is holding their Comprehensive Plan meeting this evening.]

Work on the Comprehensive Plan continues. Mr. DeGregorio and two other Planners have worked on background writing and an inventory analysis of current holdings, including transportation, land use, open space, and environmental issues. Mr. May also has appeared on CNET last week to discuss this Plan.

Mr. Nauman asked if DEP was concerned about the overall zoning of the 1,000 acres and the lower end's sewage needs. Mr. DeGregorio clarified DEP would like to see something cooperative, but it is up to Mr. Maloney to make the plan work for Halfmoon Acres. Another example is the Grays Woods development and the issue of sewage disposal, a potential pipe connection, and possible rezoning issues. Grays Woods has been waiting for Halfmoon Township to support the expansion of the growth boundary. This is a local determination issue, so the Board will have to weigh the long-term wastewater concerns for Halfmoon Acres and possibly Grays Woods.

- c. Zoning Officer's Report
No report.

5. 2010 Act 153 Open Space Preservation Program Applications

Five properties were proposed to be added to the Open Space Preservation Program (OSPP), totaling approximately 331 acres. Mr. DeGregorio then distributed copies of the formal review and comments on the five OSPP applications and township maps showing the application properties. He reviewed each property listed below:

- 2009-25, Hagg brothers' property, 11 acres: little blue square on ridge on map, small hunting camp, National Heritage Inventory's bird area. Potentially historic structure on property. This would also preserve forest areas and protect feeder springs that flow into Halfmoon Creek. Mr. Fennessey questioned the low probability of development for this property and its inclusion in OSPP. Mr. DeGregorio clarified that the program is designed to protect any land. Mr. Eberhart agreed with Mr. Fennessey that at the present time, this land might not be valuable, but there might be a future interest in this property. Mr. Fennessey's primary objection is that purchasing this property isn't the best use of tax money. Ms. Steele stated that the Hagg property has been marked at 11.4 acres so it is eligible for OSPP. Mr. DeGregorio suggested to the PC that they might want to hold out this property as a conditional approval, pending resolution of access issues.
- 2009-26, Nauman/Squier property, 112 acres: located in Ag Security Area, Halfmoon Creek runs through part of this property, 40-50% of the soil is Class I and Class II (best/most usable soil for food, feed, forage, fiber, and oilseed crops; also most permeable). Protectable steep slopes. On Bald Eagle Ridge, on National Heritage Inventory (birds/wildlife). Riparian areas and a few sinkholes on the property which are important to naturally catch groundwater. This property, along with the Brodzina property, would increase this western cluster to approximately 1100 acres.
- 2009-27, Snyder property, 31 acres: some Class I and Class II soils, Barrens-type of woodlands and vegetation. This would add to the cluster south of the Game Lands.

Not part of the raptor birding area, but is important to songbirds and other migratory birds.

- 2009-28, Zarkower property, 39 acres: steep slopes, hydric soil types (wet for 6 months/yr), blueberries and white birch prevalent. Halfmoon Creek runs through. Also floodplains and riparian areas. Bonus because it is adjacent to Eberhart property, creating another cluster along Marengo Road.
- 2009-29, Brodzina property, 143 acres: very large cluster, tributaries to Halfmoon Creek, Warriors Mark Run, and Spruce Creek. 75-80% of soil is Class I and Class II soils. In Bald Eagle Ridge important bird area.

Mr. DeGregorio's recommendation is to accept these properties, with the possible note to address the access to property #2009-025.

Mr. Tylka questioned the OSPP program and its decision to purchase properties that might not be "useful." Mr. Eberhart stated that if there was money, then properties could be purchased. He also discussed the scoring system (largest properties earn more points) with PC members. Possibly the PC could make suggestions on updating the scoring. Mr. DeGregorio clarified that perhaps the main OSPP goal has been to "keep Halfmoon the way it is" to prevent large housing developments. Mr. Eberhart stated that the Hagg property does meet the program requirements, even if the property isn't desirable. There will be a five-year review of the OSPP, at which time it might be good to re-evaluate the property qualification requirements. The OSPP has tied up a significant portion of land with minimal money spent. Members also discussed the use of open space land for passive recreation, and the possibility to provide input to the OSP board during their review.

Motion. Mr. Tylka moved to approve the Hagg, Snyder, Zarkower, and Brodzina properties into the Open Space Preservation Program. Ms. Del Corso seconded. Vote: 7-0.

Motion. Mr. Tylka moved to approve the Nauman property into the Open Space Preservation Program. Mr. Finkelstein seconded. Vote: 6-0-1, with Mr. Nauman abstaining.

6. Revised Wind Energy Facilities Ordinance, 3/2/10 draft

Mr. DeGregorio asked for comments on this draft. Ms. Del Corso reviewed some corrections: 12 months for the decommissioning period for commercial turbines, delete the CRCA inspector from decommissioning, and delete part of the shadow flicker section. Mr. Eberhart raised a question about the waiver section. Mr. Fennessey remembered the missing text from the waiver section was all non-participating landowners within the waiverable boundary. If someone wants to use a smaller setback than the ordinance requires, he/she must obtain signed waivers from non-participating property owners within the affected setback change. "The Board may waive the following:..." Mr. Tylka questioned why Light Industrial allows 35 feet, while other zoning areas allow 30 feet. He thought that 35 feet was an industry standard. Mr. DeGregorio suggested that this could be included as a waiver for residential height. Mr. Tylka then suggested moving the whole waiver section to the end so it will apply to both commercial and residential turbines.

After this discussion, Mr. DeGregorio asked for final comments and Mr. Nauman called for a vote.

Motion. Mr. Eberhart moved to forward this ordinance draft to the Board of Supervisors after Mr. DeGregorio makes the discussed changes. Mr. Fennessey seconded. Vote: 7-0.

7. Spring Creek Watershed version of Water Well/Geothermal Borehole Ordinance

Ms. Steele questioned why we would want to adopt a stand-alone ordinance instead of the property maintenance code. Mr. Fennessey clarified that if Halfmoon has its own ordinance, the PC can adjust specific requirements so they are appropriate for Halfmoon Township. Code will have to enforce whatever the local determination is. Mr. Nauman asked about Halfmoon's domestic well ordinance; could geothermal wells be added to the existing ordinance? Zoning would enforce both drinking wells and geothermal wells. Mr. DeGregorio stated that this was also an option. He suggested asking Mr. Piper to review amending the well ordinance to include geothermal wells. Mr. Nauman supported this idea of expanding the existing ordinance to cover all wells, instead of the stand-alone ordinance. Mr. Fennessey suggested letting Mr. Mark Ralston, the original writer, review the ordinance, and Mr. DeGregorio agreed to contact Mr. Ralston.

8. Discussion on Township Sustainability

Ms. Steele shared "Tips for Making Municipal Operations More Sustainable", provided by the Brandywine Conservancy, Environmental Management Center. Suggestions addressed transportation, water usage, energy usage, building design/construction, land stewardship, purchasing, waste management/recycling, education/outreach, and parks/recreation.

9. Next Planning Commission agenda items for Spring 2010

Mr. DeGregorio discussed current projects in Halfmoon Township. He also distributed a list of 2010 PC Work Priorities. He provided an Agricultural Security map showing previous parcels of land established as Ag Security areas totaling 5711 acres. Currently, Halfmoon Township is listed as having 5353 acres. Every 7 years, Halfmoon Township needs to update its Agricultural Security area. The last review was completed in 2003, and needs to be updated in 2010. Mr. DeGregorio, Ms. Steele, and Mr. Piper will be working on this update in the coming months.

10. Adjournment

The meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Melissa Gartner
Recording Secretary