

HALFMOON TOWNSHIP
Planning Commission Meeting
March 16, 2010 7:00 pm

Present: Lorin Nauman, Joe Tylka, Danelle Del Corso, Bob Eberhart, Larry Fennessey, Jordan Finkelstein
Absent: John Stevens
Others present: Sebastian DeGregorio, CRPA; Susan Steele, Township Manager; Don Franson, Township Engineer; Dave Piper, Zoning Officer; Eric Casenave, PennTerra Engineering; Dana Costa Jr., Williams Communications; Kathy Henry, Henry Surveys; Terry Brown and Debra Brown, property owners; Melissa Gartner, recording secretary

1. Call To Order

Chair Lorin Nauman called the meeting to order at 7:04 p.m.

2. Citizen Comments

None

3. Approval of March 2, 2010 Minutes

Motion. Mr. Finkelstein moved to approve the minutes of March 2, 2010. Ms. Del Corso seconded. Vote: 6-0.

4. Reports

a. BOS Update

Ms. Steele reported the Board of Supervisors met on March 11. Halfmoon Acres LLC (Mr. Mark Maloney, his attorney, and engineers) gave a presentation to the BOS. Their concern is that if the BOS believes RVD is good zoning for Halfmoon Township, then the Halfmoon Acres development should not be contingent upon rezoning. Some members of the BOS believe that they do not want to change the zoning unless they know the DEP waste treatment module will work. Mr. Maloney feels he needs rezoning within 45 days, which may not be feasible.

A work session will be held on April 8, 2010 with Mr. Maloney's attorney, the township attorney, BOS, and PC to discuss the regional impact of the Halfmoon Acres wastewater treatment facility, etc.

Mr. Tylka questioned that if Halfmoon Acres has no clear indication from DEP that their sewage proposal is doable, then why are they proceeding? Mr. DeGregorio and Ms. Steele discussed a letter sent from Halfmoon Acres stating that the development could not delay any longer; they would design their planning module based on current A-1 zoning. Their initial plan was for 40 dwellings in Patton Township and 420 in Halfmoon Township. For financial reasons, Halfmoon Acres needs the rezoning done. The BOS asked if this was to be built at RVD, could Halfmoon Acres submit that plan? Their response was

that this would be expensive and if Halfmoon Township is not going to rezone, why would they bother?

Patton will only approve it if Halfmoon will approve the planning module. The MBR (membrane bioreactor) system will still be used for 1 acre lots, high density lots, and other configurations because most of the property won't pass a perc test. American Water will own and operate the waste treatment facility. Basically, Halfmoon Acres wants the PC to change the zoning and then they'll proceed. Halfmoon Township is not convinced that this will work and would like to see the planning module first. Ms. Steele stated that if the module was prepared for A-1 zoning, it could happen in 45 days (to meet Halfmoon Acres' stated schedule).

Patton gave conditional approval on the module last week, dependent on Halfmoon's approval of the planning module. Final approval rests with DEP as to whether the MBR plant will actually work. Mr. Eberhart questioned Mr. Fennessey on the discharge specifics. Mr. Fennessey explained that an MBR will not meet the discharge criteria of a high quality stream. It must have a zero discharge, and an MBR can't produce that. A more advanced filtration system is needed to achieve a zero discharge.

In their attorney's 14-page fax, Halfmoon Acres feel this has already been vetted by the public and has community support, but Mr. DeGregorio reminded everyone that the most recent meeting on Halfmoon Acres happened four years ago.

At next week's BOS meeting (March 25), there will be a public hearing on the wildlife corridor and five Open Space properties previously discussed at the 3/2 PC meeting. If PC recommends approval of Halfmoon LLC (17411B), the Brown subdivision, and the Sigel replot, these will also be presented at the 3/25 BOS meeting.

b. Centre Region Update

Tomorrow evening (Wednesday, March 17), the Halfmoon Township's Comprehensive Plan meeting 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 until approximately 8:30 p.m. An overview and maps will be on display.

General Forum will meet next Monday evening on March 22 for all 32 Centre County elected officials. Mr. Jim May will present an update on the Comprehensive Plan process to date and the economic development study. The next joint meeting of the Transportation and Land Use Committee of the General Forum will be held in mid-May.

Two weeks ago, there was a very good turnout for the Ferguson Township Comprehensive Plan meeting. Between 18-20 people attended, including Mr. Eberhart. He noted that many comments focused on environmental issues.

The most recent Halfmoon/Patton Area Planning meeting was held last Tuesday (March 9). The focus of the meeting was on future land use and how it relates to the Maloney development (A-1 single family homes vs. mixed use). There was discussion on Halfmoon Township's future actions and how they will affect Patton and other regional neighbors. Traffic and traffic costs, intersection

information, and travel patterns (where drivers are coming from and where they're going to) will also be studied.

c. Zoning Officer's Report

Mr. Piper was present but did not give a report.

5. Halfmoon LLC, DEP Planning Module

Mr. Eric Casenave, PennTerra Engineering, presented a sewage facilities planning module. Previously, Halfmoon LLC received PC and Board approval in January 2010 for 4 lots. Then DEP came to Halfmoon LLC and required a sewage plan.

Mr. Casenave asked the PC to approve page 5 of the planning module. He stated that nothing has changed since January except more paperwork.

Motion. Mr. Fennessey moved to approve page 5 of the planning module. Mr. Nauman seconded. Vote: 6-0.

Mr. Nauman, Mr. Fennessey, and Mr. Piper signed the plan to be recorded.

6. Terry and Debra Brown Replot and Land Development Plan

Mr. Dana Costa Jr., Williams Communications, presented the final artist concept of the 28'x70' optical equipment building to be constructed at the corner of Sawmill and Halfmoon Valley Roads.

He also provided documentation that they are meeting all ordinances. Fluorescent lighting is directed only at the doors. Mr. Costa included a spec sheet for the generator. The sound is muffled to 78 decibels at 7 meters. The generators will only run once each week to charge the equipment.

The visualization Mr. Costa presented also showed extensive vegetation around the building, and surpassed what Halfmoon Township had requested. He noted the depiction showed tree heights at 2 years' growth, not at planting height. Mr. Tylka asked about the fencing options. Mr. Costa explained that they'd prefer the chain-link fence (better visibility to reduce vandalism; lower maintenance), but they will provide whatever fencing Halfmoon Township requires. Mr. Fennessey asked Mrs. Debra Brown, property owner, if she'd mind a chain-link fence, and her husband, Mr. Terry Brown, stated he'd prefer a chain-link fence so he could see through it.

Mr. Eberhart asked about traffic concerns when the cable is laid, but Mr. Costa stated that the only major traffic problem should be when the prefabricated walls are brought in on a tractor trailer. The installation of the cables should be no problem.

Ms. Steele asked about water line issues. Mr. Costa stated that if there would be a problem, his firm would be responsible. Discussion continued between Mr. Franson and Mr. Brown about the water line running through Mr. Brown's barn. Mr. Brown was not concerned about the water line. Mr. Costa also explained that the fencing is the last part to be constructed, so if there are repairs needed, the site will be accessible.

Motion. Mr. Fennessey moved to approve the subdivision plan as is. Mr. Finkelstein seconded. Vote: 6-0.

Mr. Nauman, Mr. Fennessey, and Mr. Franson signed the plan to be recorded.

7. Sigel and Halfmoon Township Replot

Mr. Franson provided maps showing the piece of land to be purchased from the Sigel property. The PC had recommended purchasing 6 acres; this plan will accommodate 3 of those 6 acres. This is a plot consolidation plan. The Township is exempt from storm water issues since the property will not be developed. The Township will put in a high tensile 3-strand fence between the new Sigel property line and the Township property.

Motion. Ms. Del Corso moved to approve the replot plan as is. Mr. Fennessey seconded. Vote: 6-0.

Mr. Nauman, Mr. Fennessey, and Mr. Franson signed the plan to be recorded.

8. Agricultural Security Area (ASA), Wind Generation and Water Well/Geothermal Borehole Ordinance Updates

Mr. DeGregorio provided updates on these three items:

- Every seven years, the Township must update their ASA. Mr. Greg Love (previous township zoning officer) completed most of this at the end of 2009. The final piece is to file a revised plan showing all new ASA property owners on a plan that can be legally recorded. No Board approval is needed, and Mr. DeGregorio will show this to the PC when everything is finalized. Mr. Tylka's property is included in the ASA, and he expressed curiosity as to what it means to have his property classified as ASA. Mr. DeGregorio stated that ASA property is protected from municipal nuisance ordinances. For example, if another township determines that a road needs to run through the Tylka property, the fact that it is an ASA will require another level of environmental review as protection.
- The Wind Ordinance is no longer going to the Board on April 8, since that meeting will be focused on the Halfmoon Acres issue. The Wind Ordinance will be presented at the second BOS meeting in April.
- The Water Well/Geothermal Borehole Ordinance: Halfmoon Township adopted potable drinking water well regulations in 2007. Patton adopted their version and geothermal borehole regulations in 2008. Parts of these ordinances were combined for the Spring Creek Watershed Commission. A fourth version is the COG building and property maintenance code. Mr. Mark Stevenson wants to see these four ordinances and will draft a combined ordinance using the least cumbersome language. Mr. DeGregorio passed along Mr. Nauman's suggestion that we wouldn't need to adopt a new ordinance when we could just language to our existing regulations. Mr. Stevenson is going to consider that option as well.

Before adjournment, members discussed the upcoming April 8 work session, A-1 and RVD zoning issues, and wastewater treatment with Mr. Piper.

9. Adjournment

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary