

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING – MINUTES
DECEMBER 2ND, 2009**

1. CALL TO ORDER

Chair Lee Pressler called the meeting to order at 7:03 p.m. Other members present were Ben Pisoni, Andy Merritt, Ron Hoover, Bob Eberhart and Jerry Brown. Staff present was Amy Smith, Minute Recorder. No audience members.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

- ***MOTION: Mr. Pisoni moved to approve the minutes of November 4th, 2009; Mr. Merritt seconded; Vote 5-0-0; Motion Carried.***

4. LANDOWNER DISCUSSION FOR ADVANCED PAYMENTS

Mr. Pressler stated he and other Open Space Preservation Board (OSPB) members spoke to the property owners of the Hagg, Nauman/Squier, Brodzina, Zarkower and Snyder properties regarding the advanced payment option. Mr. Pressler commented that it was his consensus that the property owners, although asking for a twenty year advance, were still willing to place their properties into the Open Space Preservation Program (OSPP) with a fifteen year advance. Mr. Pisoni stated he had ran the figures at a previous meeting and there were enough funds to provide fifteen year advances which would leave a balance of \$24,000 at the end of year 2010.

5. LAND DESCRIPTIONS & LAND RATINGS

Mr. Pressler stated although the land ratings could not be completed tonight they would need to make recommendations at the next OSPB meeting to pass along to the Board of Supervisors.

Brodzina – Mr. Pressler stated the Township would need to know the exact amount of acreage that is in Halfmoon Township and what is in Huntingdon County before completing the land rating. Mr. Pressler stated he has some concerns that there is too much riff raff that is sitting in or near water that needs to be cleaned up. Mr. Eberhart stated he was also concerned that this could affect groundwater contamination. Mr. Eberhart stated Clearwater Conservancy is looking for properties for the Spring Cleanup and may be interested in cleaning this property if the property owner is willing. Mr. Brown questioned what type of riff raff was lying around. Mr. Pressler described some of the riff raff. There was discussion on whether the Township could request it be cleaned up as a condition of entering into the program and include it in the lease. Mr. Brown stated he did not think the Township had the right to request that it be cleaned up as a condition of entering into the program. Mr. Brown discussed hazardous materials around farms and how to properly dispose of the containers. The Board requested Ms. Smith check with the Township Solicitor to find out whether the Township can request that Mr. Brodzina clean up the riff raff. The Board agreed that it should not be a condition for this property to enter the open space program but would like to inquire whether they could make the request. Mr. Pressler reviewed the land rating points he had provided so far for this property but is unable to complete the land rating until the acreage has been determined.

Zarkhower – Mr. Pressler stated there were no concerns or questions on this parcel. Mr. Pressler stated there is a cabin and a pond on the property. Mr. Pressler commented there is a drilled well and septic system for the cabin. Mr. Pressler gave this property 7.08 total land rating system points. Mr. Eberhart questioned whether the Zarkhower's are able to increase the size of the cabin or construct a house on this property without subdivision. There was discussion on whether the property owner could construct a house and whether a subdivision and 10% exemption applies. The Board reviewed the Ordinance and feels that a house could be constructed without subdivision. There is currently a seasonal camp on the property. The Board requested Ms. Smith contact the Township Solicitor and inquire whether the property owner could increase the size of the cabin or build a house on this property.

Hagg – Mr. Pressler stated this is a very rugged piece of ground and very steep. There was discussion on how much of this property is in Halfmoon Township and how much is in Taylor Township. There were two maps that were reviewed and both show different scenarios. This mapping was completed by Centre County GIS. Mr. Brown stated the Township does not require a survey. There was discussion on whether there was enough property in Halfmoon Township to qualify for the program. The Township Engineer will determine the acreage for this property by the next meeting. Mr. Pressler reviewed the deed description.

Nauman/Squier – Mr. Pressler stated there were no concerns or questions on this property and gave this property a land rating of 17.36 total points. Mr. Pressler commented that this property has had multiple owners. There were no questions on this property.

Snyder – Mr. Pressler stated this property does have a surveyed deeded 24 foot right-of-way into this property and the well is also on the same deeded property. Mr. Pressler stated the property owner wanted to reserve 5.1 acres of this property. The property owner wants the right to build a house for their daughter without subdivision and keep it as one deed. Mr. Pressler questioned the property owner why they are reserving so much ground for one house. Mr. Pressler commented that he told the property owner is there were circumstances that would require a third house be built than the 24 foot right of way would not withstand those circumstances. Mr. Pressler requested Township staff contact Mr. & Mrs. Snyder and find out whether they still intend to reserve the 5.1 acres or not. The Engineer will also have to determine the acreage that is in Halfmoon Township & Ferguson Township. Mr. Pressler stated they could build a house without having to deed it off the property. Mr. Eberhart questioned whether they would have to identify where the 5.1 acres would be on the property. Mr. Pressler stated the property owner did not have to identify where the 5.1 acres that are reserved would be and could subdivide it off later. This property will be rated at the next meeting.

6. RT VENTURES APPRAISAL

Mr. Pisoni stated the Solicitor had some concerns about the appraisal. When an appraisal is completed in the Township it needs to show other appraisals within the Township and this one does not and one of the properties referenced in the appraisal was an old property. Mr. Pisoni stated there are three things the Township can do; Agree the appraisal is in compliance with Township's Appraisal Guidelines; Agree the appraisal contains questionable, deficient or incomplete items, but relatively minor changes are needed to comply with the Township and USPAP Guidelines; or agree the appraisal is fundamentally flawed, and does not comply with the Township and USPAP Guidelines and is therefore rejected. Ms. Yurchak will be sending a letter to the appraisers to declare the appraisal contains flaws but only minor changes are needed. There was discussion on appraisal

guidelines. Mr. Pisoni stated he already met with Ms. Yurchak and Mr. Piper to discuss the recommendations.

Comments on the appraisal: Mr. Eberhart stated he felt the development rights are appraised at a very high value. Mr. Pisoni discussed the appraisals that were completed on the Sigel property and the difference in the appraised value. Mr. Pressler discussed fair market value and the appraisals. Mr. Pressler questioned that the check list is not complete so how can an appraisal be completed when the checklist is not complete. Mr. Pressler questioned whether the subdivision was completed yet. Mr. Eberhart stated the plan has been approved by the Planning Commission but the sewage planning module is holding up the recording for the deed. Mr. Eberhart discussed the fee-in-lieu amount for the RVZD and stated he felt the amount should be what this appraisal is showing which is around ten thousand dollars. There was discussion whether the Township needed to approve the appraised value.

7. OTHER BUSINESS

Mr. Pisoni questioned whether the Board agreed that applications should be paid retro-active. The yearly lease payments are paid out in July but the lease agreements have not signed until December so the applicant received his/her yearly lease payment in December along with the advanced payment (if requested). Mr. Pisoni stated technically the property is not in the program until the lease agreements are signed and approved by Resolution so does the Township owe the property owner a retro-active payment. Mr. Brown stated it is not his fault that his agreement is not completed and the Township gains from keeping the money for those extra months because they are collecting interest. Mr. Pisoni stated the Township does not gain because the property is not in the program yet and the property owner could walk away until the lease is signed and approved. There was more discussion on benefits and whether the payments be retro-active.

Mr. Eberhart stated the Board of Supervisors have passed the 5 Year Review Ordinance so the Board of Supervisors would have to start working on the committee. Mr. Eberhart questioned where the Brown & Thomson applications were at and if they had been completed. Ms. Smith stated Mr. Brown & Mr. Thomson have their leases to be notarized and returned to the Township to pass by Resolution by the Board of Supervisors at one of their meetings in December.

8. CITIZEN'S COMMENTS

There were no citizen's comments.

9. ADJOURMENT

The meeting was adjourned at 9:47 p.m.

- ***MOTION: Mr. Merritt moved to adjourn the meeting at 9:47 p.m.; Mr. Pisoni seconded; Vote 6-0-0; Motion Carried.***