

HALFMOON TOWNSHIP
Planning Commission Meeting
February 21, 2012 7:00 pm

Present: Bob Eberhart, Larry Fennessey, Jordan Finkelstein, Lorin Nauman, Joe Tylka
Absent: Danelle Del Corso, John Stevens
Others present: D. J. Liggett, CRPA; Susan Steele, Township Manager; Melissa Gartner, recording secretary

1. Call To Order

Vice Chair Mr. Tylka called the meeting to order at 7:06 p.m.

2. Citizen Comments

None

3. Approval of February 7, 2012 Minutes

Mr. Fennessey made one correction to the minutes. Then members discussed the OSP charter and possibilities of canceling leases during a time of extreme economic hardship and attempting to regain any money if properties leave the program.

Motion. Mr. Nauman moved to approve the minutes of February 7, 2012 with one revision on page 2. Mr. Fennessey seconded. Vote: 5-0.

4. Reports

a. BOS Update

There was no report.

b. Zoning Officer's Report

Mr. Piper was not present. Ms. Liggett reported that at the last BOS meeting, Mr. Piper said he issued a permit for a single family dwelling in Trotter Farms. Mr. Fennessey asked how many more houses are needed before the HOA would take over that development. Ms. Steele and Ms. Liggett estimated that Trotter Farms is at 50% capacity, but were not sure what the HOA trigger number was.

c. CRPC Update

The CRPC did not meet since the last PC meeting.

5. Annual Report

Mr. Tylka asked if members had any issues or concerns about the Annual Report, to which Ms. Del Corso had made a few minor changes since the February 7 PC meeting.

Motion. Mr. Finkelstein moved to refer the 2011 Annual Report of the Planning Commission's activities to the BOS. Mr. Nauman seconded. Vote: 4-0-1 (Eberhart).

6. 2012 Work Program

Mr. Tylka asked the PC if they would consider changing the priority of a Work Program item due to a recent incident on a private road in the Township.

Ms. Steele reported that a few weeks ago, there was a structure fire on Heritage Trail Road (a private road at the end of Mahala near four camps). A family was living on this private road in a hunting camp with no water, sewer, or address. Their building caught fire and burned. Because of the poor condition of the road, the Warriors Mark and Port Matilda Fire Companies couldn't reach the fire so the Alphas and Boalsburg had to be called in to fight it from the Scotia Road side.

Ms. Steele will meet with the fire chiefs about the incident on February 22. The Township cannot maintain this private road with liquid fuels funds. Ms. Steele said if there is an emergency, there is an expectation by citizens that the municipality will go in to rescue the people involved. Mr. Sam Connor, Warriors Mark Fire Company, said his company tried to access the property this past Saturday as a test, and could not access it from the Halfmoon side. Also, the American Red Cross needed to set up on site and had difficulties. Another concern is the danger to volunteer fire fighters and rescue personnel trying to access private roads that are impassable.

Mr. Tylka asked Ms. Steele if private road owners knew what the private road standards are. Ms. Steele reminded the PC of the recent sketch plan by Mr. Maloney and that he had needed the Fire Chief's approval for emergency vehicle access. Mr. Fennessey advocated sending a letter to residents on private roads and notifying them of the general standards for providing access for fire and ambulance.

Ms. Liggett said that in Harris Township, when someone wants to add a private road to a subdivision, the developer must prepare an agreement recorded with the plan and signed by the Township Board. This would include which parties would access the private road, minimum responsibilities of maintaining the road, and specifications on how the private road could be turned over to the municipality to become a public road in the future. She did not think that Halfmoon had any requirements on maintenance of private roads for property owners.

Mr. Eberhart said that many of these private roads go through the Game Lands, and are not maintained. Mahala Street itself is part of the Game Lands. Ms. Steele said Heritage Trail Road is more of a path, and even an ATV would have difficulty on it.

Mr. Tylka asked if any of the firefighting officials had asked the municipality to take action. Ms. Steele said that Shawn Kauffman, the Township EMC Coordinator, is eager to have something done as an emergency management situation, but Sam Connor does not feel the matter is as urgent.

Members then discussed changing the priority order of the 2012 Work Plan. Mr. Tylka said that since the Parks Plan meeting is occurring next month, the PC should keep that item as #1.

Mr. Fennessey asked Ms. Liggett realistically how long it would take to resolve this private roads issue. She estimated it could take a couple of months to change the ordinance and incorporate three different concepts (including requirements for maintenance, limiting the number of houses on a private road, and minimum standards for emergency management access) and then get BOS approval. Mr. Fennessey then recommended leaving the Work Program order as is; Ms. Liggett

said that item #2 could be done quickly whereas item #4 could also be a time-consuming issue.

Mr. Eberhart asked Mr. Fennessey if he thought these roads should become public; Mr. Fennessey clarified that he did not think the Township should be responsible for these roads. However, he also said that in the future, the Township should stop allowing private roads and carefully scrutinize any new shared driveways. Ms. Steele said the ordinance restricted private roads after 1993. The BOS is also concerned about shared driveways. Mr. Finkelstein asked to have the private roads issue moved to #2 since it could be a matter of life and death.

Motion. Mr. Finkelstein moved to revise the priority order for the 2012 Work Program to move Private Roads/Shared Driveways to item #2. Mr. Tylka seconded.

Vote: 4-1 (Fennessey).

The approved 2012 Work Program list is as follows:

1. Parks Plan Implementation
2. Private Roads/Shared Driveways
3. Evaluation of Agriculture/Residential Zoning District – Yield Plan
4. Ridge Overlay District
5. Evaluation of Village Zoning District

7. Public Meeting on Parks, Trails, and Community Facilities

Ms. Liggett started a discussion on the set-up for the upcoming meeting. Because the wall space at Way Fruit Farm is limited, the material not included in the PowerPoint presentation can be printed on posters, and displayed on easels and boards. Ms. Liggett will bring easels from the CRPA and borrow one or two from the Township; she also thought the room set up should be assembly-style chairs, with no tables to make the most use of the space. Members also noted that they will begin to distribute flyers announcing the Town Hall Meeting on March 1.

Amy Smith will contact Way Fruit Farm regarding refreshments (i.e., cookies, cider). Ms. Steele will coordinate moving the chairs and easels, as needed; Ms. Liggett will contact Jason Coopey about relocating the tables from Way's dining room and scheduling a time for set-up. Amy Smith and Melissa Gartner will take notes on flip charts during the meeting.

Ms. Liggett said that Todd Kirsten and the PRB were planning to attend. Mr. Tylka asked Ms. Liggett to send out the PowerPoint so he can be prepared for expense questions. Mr. Fennessey asked if the 3x5 cards and pencils would still be available; Ms. Liggett said she'd provide those plus a sign-in sheet and a comments box. Ms. Liggett will do the brief PowerPoint presentation and then turn over the floor for open discussion.

For comparison purposes, Ms. Liggett reported that she can provide information from Patton Township on the new Burnell Road Park. Road access to the park, a parking lot surface, some minor play equipment, and site development for fields (not actual field construction) is projected to cost \$1.3 million. Ms. Steele said a new park-related expense for the Township is operating and maintenance salaries; maintaining the ice rink over the winter is costing approximately \$2500-\$3000/month for operations and maintenance salaries.

8. Agricultural Zoning District – Yield Plan

Mr. Tylka asked Ms. Liggett to define the terms Agricultural Zoning District and Rural Preservation Development. Ms. Liggett explained the following:

In the A-1 zoning district, a property of 10+ acres developed as residential neighborhood lots is required to provide 50% open space. For example, a 100-acre site in the A-1 zoning district could be developed with one house per acre (in a best case scenario), or 100 houses. However, the rural preservation standards require 50% of the property to remain in open space, so the 100 houses that could be developed on the tract must be clustered on 50 acres with 50 acres left in open space. The design standards outline a process for plan submission, including:

- Identifying the primary conservation areas (flood plains, wetlands, steep slopes, etc.)
- Identifying the secondary conservation areas (historic resources, mature forest land, ag conservation easements, etc.)
- Designating the 50% open space
- Determining the maximum number of lots permitted in a neighborhood lot development

Members then discussed an example to understand the process:

1. A property has 100 acres.
2. Step 1 - 30 acres are identified as a primary conservation area of steep slopes, leaving 70 developable acres (which would allow 70 houses).
3. Step 2 - 20 additional open space acres must be identified to meet the 50% open space requirement (20 acres of steep slopes + 30 additional acres = 50 acres open space). That results in 70 allowable houses on 50 developable acres. (Total acreage – primary conservation areas = number of housing units allowed.)

What is being proposed with a yield plan is that soils testing is done on the property to determine the maximum number of houses that can be built. The developer could build those 70 houses if they can find 70 lots that have two sites suitable for on-lot septic disposal. If they only find 40 suitable sites, the suitability of the soils becomes the limiting factor. They can only build 40 houses on that 100 acre property.

The Act 537 Implementation Agreement currently states any area outside the Sewer Service Area is required to use an individual or a community on-lot disposal system. If the Township adopted the yield plan concept and required developers to calculate a property's yield first, it would save a lot of time and money. A developer could come in with an informal plan that lays out the primary conservation areas and demonstrates the two suitable sites for each lot based on what the soils will allow. This would also protect developers from purchasing property and then learning that the soils will not support the level of housing they hope to build. Members then discussed a developer's recent attempts to develop property in the Township, and how this yield plan concept would have been helpful.

Mr. Fennessey asked how the yield for spray irrigation would be determined since these sites are not perc-tested. Ms. Liggett noted that the Patton Township yield plan states "the sewage disposal capacity of the tract shall be determined by identifying one acceptable soil profile excavation for an individual on-lot septic

system for each lot.” In Patton Township, this eliminates a spray irrigation system because the soils testing is based on on-lot systems. Smaller lot sizes would necessitate a community system, which are allowed in Halfmoon Township. Mr. Fennessey said this will drive developers to create bigger lots with fewer houses, because the soil testing is expensive. Testing fewer lots would save them money.

Ms. Liggett said if the PC is interested in pursuing this concept, she will incorporate the language from Patton Township's yield plan into the Halfmoon rural preservation design standards for the next PC meeting. She also clarified that the yield plan restriction in Patton Township only applies to land parcels larger than 10 acres with proposed neighborhood-lot developments. Members asked if any development should be required to do a yield plan, whether the plan is for 1-acre lots or a denser neighborhood style. After discussion, members decided that any property over 10 acres in the Ag District automatically falls into the RPD classification so the yield plan would apply. Only the neighborhood lot plans must follow the 50% open space requirement.

Motion. Mr. Fennessey moved to direct Ms. Liggett to move forward and bring a draft RPD/yield plan ordinance to the next PC meeting. Mr. Nauman seconded. Vote: 5-0.

9. Matters of Record

- The next PC meeting will be held on March 6. Agenda items may include last-minute details for the Public Meeting, and continuing the discussions on the Private Road issue and the yield plan language.
- Ms. Podgurski decided to place her entire 40.25 acre property (#2011-33) in the OSP. The BOS will consider the application at their meeting on March 9.

10. Adjournment

Motion. Mr. Nauman moved to adjourn. Mr. Finkelstein seconded.

The meeting was adjourned at 8:37 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary