

HALFMOON TOWNSHIP
Planning Commission Meeting
April 2, 2013 7:00 pm

Present: Danelle Del Corso, Bob Eberhart, Sam Evans, Lorin Nauman
Absent: Jordan Finkelstein, John Stevens, Allen Wilson
Others present: D. J. Liggett, CRPA; Susan Steele, Township Manager; Fred Henry, Mease Engineering; Edgar Jodon, resident; Dave Piper, Zoning Officer; Melissa Gartner, recording secretary

1. Call To Order

Chair Ms. Del Corso called the meeting to order at 7:01 p.m.

2. Citizen Comments

None.

3. Approval of March 19, 2013 Minutes

Motion. Mr. Nauman moved to approve the minutes of March 19, 2013. Mr. Eberhart seconded. Vote: 4-0.

4. Reports

a. BOS Update

Ms. Steele reported that at the March 28 meeting, the BOS started their review of the Open Space Program and gave directives to the OSPB. They also discussed the issue of adding berming width to specific sections of local roads. Ms. Liggett added that Don Franson, Township Engineer, and Trish Meek, CRPA Transportation Planner, gave a PowerPoint presentation showing several options for adding shoulders to local roads for pedestrian and bicycle safety. The options included: leave as is; add 2' wide paved shoulder; add 4' wide paved shoulder; improve the 2' wide gravel shoulder; or add to the existing gravel shoulder to make it 4' wide. The cost estimates for the paved options were extremely high, and because of right-of-way issues and utility relocation, even the gravel shoulder improvements would be expensive to implement. Staff will work toward implementing the "share the road" concept at this time, which provides for signage to alert vehicular traffic of the presence of bicyclists and pedestrians. Ms. Liggett said the BOS was initially interested in adding a 2' wide paved shoulder because the road could then be striped for pedestrian safety and preservation of the sides of the road; however, that option for one small section of Smith Road would cost \$335,000. Ms. Steele added that there was also a CATA presentation at the BOS meeting. The CATA is seeking a 5% increase, and the BOS reviewed rider numbers for CATA and CATARide, which serves residents who are 65 or older or have a disability. To be eligible, one must live within 0.75 mile of a current CATA route.

- b. Zoning Officer's Report
None.
- c. CRPC Update
Ms. Del Corso said there is no report because CRPC will meet on April 4.
- d. Open Space Board Update
Mr. Eberhart said the BOS gave the OSB the task of reviewing the scoring criteria for eligible properties, so they will begin working on that task.

5. Future Land Use Map – Options for Implementation

Ms. Del Corso summarized the discussion from the March 19 PC meeting. Tonight's task is to work on solidifying the definitions of terms used in R-1.

Ms. Liggett showed maps of Ferguson Township's zoning and Halfmoon Township's existing zoning. Members asked questions on whether all of the R-1 terms would also need to be listed in a new R-2, R-3, etc. Ms. Liggett said that one way some Townships handle this is to list approved uses for R-1, and then specify that anything permitted in R-1 will also be allowed in any R-more zones, etc.

Ms. Steele asked to include a definition for "open land" because residents frequently raise this question.

After a lengthy discussion, members decided on the following definitions for R-1 Permitted and Accessory Uses. The definitions and the source of each definition are listed below the chart (GZ – General Zoning, VZD – Village Zoning District).

Permitted Uses

(primary use of the land)

- Dwelling, Single Family
- Public Grounds or Space
- Open Areas - *combine with language of Open Space definition but avoid use of 'Open Space' term*
- Designated well sites, potable well pump station facilities, water treatment facilities and storage tanks

Accessory Uses

(secondary uses)

- Home Occupation - *possibly delete the last sentence implying nuisance*
- Accessory Use or Building - *include home occupations accessory to permitted uses*
- Limited non-commercial agricultural uses on any lots 1.0 acres or larger
- Animals - *possibly change definition term to Customary Household Animals*
- Horticulture

ACCESSORY USE OR BUILDING

A subordinate use or building customarily incidental to and located on the same lot with the main use or building or any other man-made change on the property.

ANIMALS

Customary household animals shall include dogs, cats, caged birds and animals of similar size and nature, but shall not include customary farm livestock such as horses, goats,

GZ

GZ

sheep, pigs, chickens and similar fowl, cows, donkeys, mules; zoo animals shall be construed as farm livestock.

DWELLING, SINGLE-FAMILY

GZ

A building designed for or occupied exclusively by one family.

HOME OCCUPATION

GZ

An accessory use of a dwelling, attached garage, or detached garage or accessory building for gainful employment. A home occupation must be solely operated or managed from a private dwelling, attached garage, or detached garage or accessory building that is the primary residence of the owner/operator of the home occupation. To be a primary residence, the landowner must sleep at the private dwelling at least 200 nights per calendar year. The home occupation shall be carried on completely within the dwelling unit, attached garage, detached garage or accessory building. The home occupation shall be carried on only by members of the immediate family residing in the dwelling unit plus not more than two additional employees. Only one home occupation shall be carried on in a private dwelling, attached garage, detached garage, or accessory building. *Any home occupation which creates objectionable noise, fumes, odor, dust, electrical interference, or is otherwise detrimental to the health and welfare of the citizens of Halfmoon Township shall be prohibited.* [Amended 6-10-1999 by Ord. No. 1999-4]

HORTICULTURE

VZD

The cultivation of a garden or orchard.

OPEN AREA OR SPACE

VZD

Unoccupied space open to the sky and on the same lot with the principal use. Open areas or space shall usually be in a natural state, but may include squares, plazas and formal gardens which contain no impervious surfaces.

OPEN SPACE

GZ

Lands intended for public usage, such as parks and playgrounds, schools, public buildings, cemeteries, etc.

PUBLIC GROUNDS OR SPACE

VZD

Includes parks, playgrounds, trails, paths, recreational areas, schools, scenic or historic sites which are owned and operated by a governmental body or a nonprofit agency created by a governmental body.

USE

GZ

The purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied or maintained.

For the next meeting, Ms. Liggett will compile local definitions from the other municipalities for the following terms:

- Open land
- Red recycling bins
- Home occupation
- Limited non-commercial agricultural uses

6. Kristie & Richard Weiss – Preliminary/Final Plan

Mr. Fred Henry, Mease Engineering, explained to the PC that Kristie and Richard Weiss are planning to build on a rear lot with only a right-of-way across the Seifert property to access Beckwith Road. Ms. Liggett explained that PennDOT requires a Highway Occupancy Permit for access to Beckwith Road. One condition of approval is that improvements must be made to the adjacent land to improve the sight distance. Several trees must be removed and the sight distance improved before

PennDOT will approve the highway occupancy permit. However, the Weisses do not own the land adjacent to the road; it is owned by Edgar Jodon. Now, Mr. Jodon would like to sell this piece of his property (0.8 acres), a narrow peninsula along Beckwith Road, to Kristie and Richard Weiss so they can guarantee their access to the road and make the improvements necessary to obtain the Highway Occupancy Permit. While this will simplify ownership and highway access in the future, there are several complications that need to be addressed.

Next, Ms. Liggett explained that because the .08 lot is not contiguous with the Weiss property, the plan cannot be submitted as a lot addition (moving the lot line). Also, the .08 acre lot being sold does not meet the minimum lot size requirement for a building lot and it has environmental constraints with the stream and the steep slopes.

Mr. Henry prepared a new subdivision plan showing the subdivision of the .08 acre parcel from Mr. Jodon's ____ acre property. He noted that the original plan for this land, dated 1983, included a note stating the smaller part was to be a non-buildable lot. Mr. Henry stated that ownership of the 0.8 acre lot must go with the Weiss lot in order for them to meet the conditions for the Highway Occupancy Permit for access to Beckwith Road.

Mr. Piper said his concern was that any of the parties that have legal access to use that right-of-way should have the right to clear out the vegetation impeding visible access to the road traffic. Ms. Liggett agreed and noted that a right-of-way agreement must be submitted with the plan spelling out the access and maintenance responsibilities for all parties utilizing the shared driveway and access to Beckwith Road.

Ms. Liggett noted that any time a new subdivision is created, sewage planning must be done. Since the .08 acre lot is too small to meet the requirements for a buildable lot, a non-building waiver for sewage planning should be prepared.

Ms. Steele summarized the situation as follows:

- Mr. Jodon will subdivide his property so the Weisses can buy the 0.8 acre section along Beckwith Road.
- Since the Weiss properties would not be adjoining, they cannot do a lot consolidation or lot addition.
- Therefore, they will own two separate lots – one that is buildable and one that is not buildable.
- The buildable lot has met the requirements for sewage planning.
- The non-buildable lot will require a non-building waiver as a condition of approval.

The Weiss subdivision plan previously presented to the PC is on hold, pending submission of the new Jodon subdivision plan to create the .08 acre lot needed for the Highway Occupancy Permit. Mr. Henry will submit the new Jodon subdivision plan and request a non-building waiver. Ms. Liggett recommended that the plan include extensive notes to indicate the reasons for the subdivision and to clearly state that the .08 lot is a non-buildable lot. She also suggested that the Township Solicitor review the right-of-way access agreement to ensure all legal issues are covered.

Mr. Henry noted that he will submit a letter granting the Township an extension of 30 days to review the Weiss Plan in order to give him an opportunity to prepare and submit the Jodon subdivision plan. He noted that approval of the Weiss plan is conditional upon the Highway Occupancy Permit and the Highway Occupancy Permit will be addressed when the Jodon plan is approved.

7. Matter of Record

- The next PC meeting will be held on April 16. Agenda items will include continued review of the Township zoning districts and may include review of the Jodon subdivision plan.

8. Adjournment

Motion. Mr. Evans moved to adjourn. Mr. Nauman seconded. Vote: 4-0.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary