

HALFMOON TOWNSHIP
Planning Commission Meeting
April 3, 2012 7:00 pm

Present: Danelle Del Corso, Bob Eberhart, Larry Fennessey, Jordan Finkelstein, Lorin Nauman, John Stevens, Joe Tylka
Absent: none
Others present: D. J. Liggett, CRPA; Susan Steele, Township Manager; Dave Piper, Zoning Officer; Jim May, CRPA Director; Tom Zilla, CRPA; Fred Henry, Mease Engineering; Gerald Brown, Kalen Brown, and Christina Rider, residents; Melissa Gartner, recording secretary

1. Call To Order

Chair Ms. Del Corso called the meeting to order at 7:02 p.m.

2. Citizen Comments

None

3. Approval of March 6, 2012 Minutes

Motion. Mr. Nauman moved to approve the minutes of March 6, 2012. Mr. Fennessey seconded. Vote: 7-0.

4. Reports

a. BOS Update

Ms. Steele reported that the BOS would meet on April 12 to discuss present and future budget constraints. This meeting will also focus on Open Space issues. The BOS has also asked the Township Solicitor to discuss what happens to the Township lien if a property is foreclosed upon, and what codicils or addendums have been placed upon current properties. The BOS meeting on April 26 will be a general business meeting, and the May 10 meeting will be a joint meeting with the PRB. Representatives from the Halfmoon Little League and Centre Bulldogs have been invited to attend. Topics include the procedures to reserve the parks, possible fees, possible capital improvements, and a preliminary discussion of the recent Town Meeting. By the middle of June, staff will have an accurate sense of the BOS priorities and can begin taking action. Mr. Eberhart wanted to discuss the changes to the membership of OSPB. The OSPB membership will decrease from 8 to 7, to include one BOS member, one PC member, and five general members. He recommended that the PC member should be nominated by the Planning Commission and forwarded to the BOS for approval; the current wording does not explicitly state it as such. Members agreed that it made sense for the PC to nominate their own representative.

b. Zoning Officer's Report

Mr. Piper was not yet present because he was attending a Warriors Mark BOS meeting.

c. CRPC Update

The CRPC will meet this Thursday, April 5.

5. Gerald J. and Shirley P. Brown – Preliminary/Final Plan and Planning Module

Ms. Liggett introduced Mr. Fred Henry, Mease Engineering, to discuss the property located off of West Gatesburg Road in the vicinity of the Gatesburg Road entrance to the Game Lands.

Ms. Liggett then explained that the parent tract is approximately 445 acres, and the plan proposes a subdivision to create a two-acre lot. The plan has been reviewed by the Township Zoning Officer, the Township Engineer, the Centre Region Fire Director, Ferguson Township, and the Centre County 9-1-1 Addressing Administrator. This lot will be served by an onsite well and by on-lot septic. Soil testing has been done to identify a primary and secondary septic site on the two-acre lot (Lot 1 on the plan), and testing has been done for the replacement area for the residual lot (Lot 1B on the plan).

The planning module was reviewed by the Township Sewage Enforcement Officer (Dave Piper) and Ms. Liggett. Both found the planning module to be in order and ready for PC approval. There were marginal soils identified on the property during the soils testing; however, the lot being subdivided is not affected by the marginal soils and none of the proposed primary or secondary septic sites are affected. DEP requires that when a planning module notes marginal soils on the site, the municipality must identify methods for assuring long term sewage disposal if the original septic site should fail. Halfmoon already requires a primary and a replacement septic area, which Mr. Piper located onsite; Halfmoon also participates in the Centre Region Sewage Management Program which requires that all on-lot septic systems be inspected every six years and pumped every three years. These notations have been added to the Planning Module. Because of that, Mr. Piper and Ms. Liggett recommended approving the planning module and referring it on to the BOS.

Motion. Mr. Fennessey moved that the Planning Module be approved and referred to the BOS. Mr. Finkelstein seconded. Vote: 7-0.

Ms. Liggett reviewed her comments on the Preliminary/Final Plan, as well as those from the Township Engineer and the Zoning Officer. Ms. Liggett noted several minor technical issues to be added to the plan:

- indicate the location of the closed depression
- show the cartway width, length, and surface of the existing lane for fire protection purposes
- indicate the status of the existence of private road or driveway
- the County 9-1-1 must be consulted for a proposed address before BOS approval
- if there is a water storage system to be added to the lot, the location and construction details should be added
- the signatures must be completed

Ms. Liggett then discussed the letter from the Regional Fire Director. Because the private lane crosses from Ferguson Township into Halfmoon Township, fire protection for this property will be provided by the Alphas. The Fire Director indicated that because this is a single-lot subdivision, it is exempt from certain requirements, but he felt strongly that the lane must be maintained for fire apparatus access. He also said there was no readily available water supply for fire protection, and the lane is too long to run hoses from a hydrant. His recommendation was to consider 'sprinklering' the structure when it is built. Ms. Liggett reported that these are actually requirements in Halfmoon Township, not recommendations, effective with the codification. The 2006 Fire Protection Ordinance provided an exemption for subdivisions of four or fewer lots. The codification removed the exemption. One of the provisions in the regulations is the opportunity to request a waiver from the fire protection requirements. The minimum water supply requirement is a 4,000-gallon water storage tank or an approved sprinkler system. Mr. Tylka asked if there were requirements regarding the well being able to adequately supply the sprinkler system. Ms. Liggett noted that an approved sprinkler system would require an adequate water supply.

Mr. Henry said the Browns would like to apply for the waiver since the water tank and the sprinkler system are good ideas if the property was located close enough to a fire company (within 15 minutes of travel time). In this case, the fire company would take at least 30 minutes to get to the property. After 30 minutes, the average home would already be severely damaged. An alarm system in a house makes more sense at this location to evacuate the building. The water tank is only effective if the fire company is in close proximity. Also, a sprinkler system is designed to suppress a local (single-room) fire, not put out a whole-house fire.

Mr. Nauman mentioned a discussion he had with the Warriors Mark Fire Chief in which they talked about mapping the local swimming pools as a fire protection resource. The average swimming pool holds 33,000 gallons of water, while a water storage tank only holds 4,000 gallons. A fire company would pump out those 4,000 gallons in under 3 minutes and without suppressing the fire.

Ms. Liggett then said the PC does not have authority to approve a waiver, but can provide a recommendation to the BOS. Mr. Fennessey asked about the exemption that was left out of the codification. Ms. Liggett noted that the Centre Region Emergency Management Coordinator, who was involved in creating the Model Fire Protection Ordinance, felt that the ordinance included an exemption from the regulations because the burden of a sprinkler system or a water tank was onerous for one or two homeowners. He observed that since the Model Ordinance was adopted in 2006, municipalities have been tweaking it for their own situations and therefore it is not a true regional model ordinance any more. It might be an appropriate time to bring municipal representatives together and revisit the issue. Mr. Fennessey recommended putting the exemption back into the codification. Ms. Liggett suggested putting this on a future PC agenda for discussion and then the PC could forward a recommendation to the BOS on the issue.

Mr. Eberhart asked how it was determined that this is the third lot subdivided from the parent tract. Mr. Piper reported that he pulled the deeds to verify that it was

the third of four allowed. Mr. Piper and Ms. Liggett suggested adding a note to the plan indicating that this was the third lot being subdivided.

Members agreed to recommend to the BOS their support for the Browns' waiver request.

Ms. Liggett continued with her comments on the Preliminary/Final Plan:

- include a note stating that nothing can be built in the 200-foot utility easement
- add a note stating this third subdivision from the parent tract

Ms. Liggett also recommended that a copy of the plan be provided to Ferguson Township, which it was. Ferguson Township's primary concern was the maintenance of the fire access road. A maintenance agreement should be submitted with the plan. Ferguson Township and the Halfmoon Township Engineer both mentioned that the existing lane seemed to encroach on the adjacent property. Mr. Henry said the lane was not drawn correctly on the plan and will be revised. They are also in the process of creating a maintenance agreement for the lane from the right-of-way from the Game Lands through the Brown property to the new lot itself.

Mr. Piper said he recommended the setbacks as 30 feet on the front and 15 feet on the sides and rear. He agreed with Ms. Liggett for notes on the third lot being subdivided and on fire access. Mr. Piper did soil testing and found some marginal soil on the parent tract. Since Halfmoon's regulations already require primary and back-up septic sites, he tested and found two acceptable sites.

The PC decided that they did not need to see the Preliminary/Final Plan a second time since most of the comments concerned minor notes to be added.

Mr. Fennessey reminded the PC about shared driveways, and asked about the right-of-way for properties adjacent to the new lot. Mr. Henry clarified that Mr. Brown has a written right-of-way from the Game Commission, while the Campbell and Sunday properties have a prescriptive right-of-way access but cannot develop. The other properties seem to be landlocked, except that they use the old railroad for access. The Campbells have been there since 1960 and the Sundays have been there since 1967. The new right-of-way goes along the Brown property which is a different situation.

Motion. Mr. Nauman moved to conditionally approve the Preliminary/Final Plan, pending compliance with staff review comments and approval of the Planning Module by DEP, and forward to the BOS. Mr. Stevens seconded. Vote: 7-0.

6. Centre Region Comprehensive Plan (Land Use and Transportation)

Ms. Liggett introduced Mr. Jim May, Director of CRPA, and Mr. Tom Zilla, Transportation Planner, to begin their presentations on the Land Use and Transportation Elements of the Comprehensive Plan. Since these are regional elements, she asked the PC to focus on what would apply to Halfmoon Township.

Mr. May began by explaining that the Comprehensive Plan guides the physical development of the region. He started with the section that covered the Regional Growth Boundary and the Sewer Service Area (Goal 2.0). Halfmoon Township is the only municipality located completely outside the RGB. Therefore, the Township is the only fully rural municipality in the Centre Region, and faces some major

challenges when developments are proposed. Mr. May wanted the PC to have the opportunity to review the general language. A community survey conducted in 2011 indicated that residents want the RGB and the rural lifestyle in Halfmoon Township. Mr. May said that if there was enough land to develop inside the RGB, and the RGB was not extended, it could have serious financial implications for Halfmoon Township.

Mr. Nauman said that Halfmoon is limited in terms of industrial, multi-family, and other land uses that are state mandated for municipalities. He asked what the Township should do when a situation arises in the future that cannot be fixed without UAJA participation. Mr. May said that if this is the kind of growth Halfmoon wants, Halfmoon then needs to approach the region for a change in the RGB.

Mr. Tylka said Halfmoon seems to have residents who want more services but it does not have the tax base to support them. He also wondered about business and commercial tax bases, and if Halfmoon would need access to UAJA for them. Mr. Fennessey agreed that the Township does not have a revenue base but its preserved land provides water to surrounding areas. Unfortunately there does not seem to be a way to gain revenue for the Township for protecting this water resource.

Ms. Del Corso asked the PC if there were any suggested changes to the language in Objective 2.1, Policies 2.1.1-2.1.5. There were no changes suggested.

Mr. May then discussed Goal 6.0 Agriculture and Goal 7.0 Agricultural Land Preservation. Mr. Nauman said that while residents have accepted the 50% open space requirement for developments, he doubted that they would welcome a 20+ or 50+ acre farm protection requirement.

Mr. Fennessey said the biggest threat to agriculture is when new technologies are allowed outside RGB and UAJA participation is not needed. Large developments could then be built that would cause a literal expansion of the RGB, whether it is sanctioned or not. Mr. Fennessey asked for a goal to be added to the Agriculture section to not create or allow a policy that would supersede a municipality's ability to protect its land by allowing advanced wastewater treatment outside the RGB. That would create mini-growth areas outside of the RGB in the rural area.

Mr. Nauman asked about Hugh Wilson's property with a stream running through it, if a microfiltration system were allowed, it would probably be the next large piece of property coming available in the next ten years.

Ms. Liggett asked whether there was a consensus from the PC on this issue. Members made comments in support.

Then, Mr. May discussed Goal 5.0, Rural Residential Areas. Mr. Eberhart mentioned that Stormstown is listed as a rural center. He recalled that in the past, the municipality tried to bring in commercial development but the only business now is a pizza shop. Mr. May said that Stormstown could be considered an area of potential development. Mr. Tylka said it might be a good time for the Township to be proactive as a horse center since there are more horse owners moving into the Township. This could be a back-up approach for the Township to continue to develop but as a rural area. Mr. May offered to expand this section accordingly.

Mr. Zilla then introduced the Transportation Element. The prominent issue seems to be bicycle and pedestrian safety concerns. He discussed Goal 1.0 Mobility for People and Goods in a Safe and Efficient Manner, and Objective 1.1 Collecting and evaluating data about the purpose and function of the transportation system. Routes 550 and 322 affect all Halfmoon Township residents, and will receive a great deal of attention from the Centre Region on what can be done affordably to make it safer for travel. Mr. Zilla also discussed Objective 1.3 Maintaining and improving existing transportation infrastructure and Goal 2.0 Multiple, Interconnected Modes of Transportation. He added that developing a network of bike/pedestrian connections and educating the public about their existence and safe usage could be a major initiative in the region in the near future.

Mr. Eberhart asked about the CATA buses he sees running empty. Mr. Zilla said that no bus system makes money, but CATA has one of the highest fare box recoveries in the state. Ms. Liggett said that Hugh Mose, the CATA Executive Director, spoke to the BOS recently about CATA usage. The BOS is still supportive of CATA service to the Township, which brings along the CATArise system for senior citizens and people with disabilities.

Goal 3.0 covers transportation systems that support good air and water quality and minimizes the impact to natural features. Goal 4.0 covers the consistency of transportation projects and programs, including an effective use of the Official Map, and the transportation system's capacity to handle changes in travel if large developments are constructed. Goal 5.0 covers sustainable funding sources for transportation improvements, which is necessary since federal and state funding is decreasing for these projects.

Mr. May and Mr. Zilla thanked the PC for their time, and plan to have a draft of the whole Comprehensive Plan by later this Summer for town meetings.

7. Rural Preservation Developments – Yield Plan

Ms. Del Corso suggested tabling this discussion until the next PC meeting. Ms. Liggett reminded everyone of the discussion to ensure the soils testing applied to both the neighborhood (Option 1) and traditional (Option 2) lots. She asked the PC members to read these sections and offer suggestions at the next meeting to make the language clearer.

Motion. Mr. Finkelstein moved to table this discussion. Mr. Nauman seconded.

Vote: 7-0.

8. Private Roads and Shared Driveways

Since staff did not have time to prepare draft revisions to the driveway regulations, this discussion was tabled until the April 17 PC meeting.

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

Ms. Liggett said she may have more information after the BOS has had an opportunity to discuss the Town Meeting and priorities. Ms. Del Corso suggested the Township should post the residents' comments from meeting soon so the connection is still timely.

10. Matters of Record

- The next PC meeting will be held on April 17. Potential agenda items include a discussion of the Halfmoon/Patton Township Area Plan and revisions to the driveway regulations. The Oak Leaf Development between Tow Hill Road and Autumn Meadow Park will also be on the agenda.
- A presentation by CRPA Planner Mark Boeckel regarding the Natural, Environmental, Cultural and Historic Resources & the Open Space, Conservation and Recreation Chapters of the Centre Region Comprehensive Plan is tentatively scheduled for May 1.
- Two regional workshops on the Regional Growth Boundary and Sewer Service Area have been scheduled for June 4 and June 20. Both meetings will be held at the Millbrook Marsh Nature Center near Puddintown Road. The presentations will be similar, but the June 4 meeting is targeted toward PC members. *The June 5 PC meeting might be cancelled so members could attend the June 4 meeting instead.*

11. Adjournment

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

The meeting was adjourned at 9:04 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary