

HALFMOON TOWNSHIP
Planning Commission Meeting
May 4, 2010 7:00 pm

Present: Lorin Nauman, Danelle Del Corso, Bob Eberhart, Jordan Finkelstein, John Stevens
Absent: Larry Fennessey, Joe Tylka, Sebastian DeGregorio, Melissa Gartner (secretary)
Others present: Susan Steele, Township Manager; Jim May, CRPA; Mark Maloney, Halfmoon Acres

1. Call To Order

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

2. Citizen Comments

None

3. Approval of April 20, 2010 Minutes

Motion. Ms. Del Corso moved to approve the minutes of April 20, 2010. Mr. Stevens seconded. Vote: 4-0.

4. Reports

a. BOS Update

Ms. Steele read the minutes from the 4/22/10 BOS meeting as to the BOS's direction to the PC on the RVD Ordinance. They were briefed on the PC vote on RVD. Several members of the BOS stated they were not in favor of any additional changes to the ordinance. If the PC approves the RVD ordinance tonight, Ms. Steele will forward the ordinance to the Centre County Planning Commission tomorrow (May 5). The Centre County Planning Commission needs to review the ordinance 30 days before a public hearing, which is tentatively scheduled for June 10. Mr. May is organizing a citizens' Open House for anyone to come and learn more about RVD, which is tentatively scheduled for the evening of June 7 or 8.

Ms. Steele also shared the press release for the Wildlife Corridor since the PC worked on this issue. The BOS would also like input from the PC on signage for the Wildlife Corridor.

b. Centre Region Update/Staffing of Projects

Mr. May gave a limited update on Mr. DeGregorio: He has not yet had his surgery and is waiting for a second opinion from medical staff before proceeding. Mr. May then presented a draft interim staffing plan during Mr. DeGregorio's absence based on Mr. DeGregorio's work plan. This plan lists who will cover current PC projects:

RVD Jim May, Agency Director
Wind Ordinance Eric Vorwald

Geothermal/Well/Property Maintenance D.J. Liggett
Township Codification..... Jim May
Ag Security Map D.J. Liggett
Open Space Map Eric Vorwald
Subdivision/Land Use Plans & Submissions..... Jim May

Mr. May and his staff will have a representative attend future PC and BOS meetings until Mr. DeGregorio is able to resume his duties.

Ms. Steele stated that the Barr subdivision was the only proposed subdivision project since January. Mr. Eberhart mentioned that the night this was initially discussed, the subdivision ordinance in question couldn't be located and perhaps this needs to be resolved. He said that four or five years ago, the PC spent a lot of time to create a village district on Rt. 550; the plan that Mr. Barr presented this spring didn't resemble that concept at all. Mr. Stevens said it would "recreate the town, make a real Stormstown."

c. Zoning Officer's Report

Mr. Piper was not present. Ms. Steele stated that he has done a few additions recently. She met with COG Code last week and discussed the SEO workflow and how Halfmoon Township can assist them. General Code has also asked the Township to send all 2007-2009 ordinances to them so they can review them for inconsistencies or redundancies. Their recommendation might to first codify and then go back and redo anything necessary. Ms. Steele will continue to follow this.

5. RVD Revisited

Mr. Nauman asked Mr. May if he had time to review the redline changes, which had been sent out on April 16. Members reviewed that each had seen the redline changes in question. Ms. Del Corso questioned if there were any large changes in the redline version. Ms. Steele mentioned the Fee In Lieu section on p. 18.

Mr. Nauman suggested going through the ordinance and reviewing specific redline changes. These included addition the RVD-III overlay definition itself, sewage disposal and specifications that an RVD-III overlay could only be approved with the construction of a sewage treatment plant, and the Fee In Lieu for Open Space.

Mr. Eberhart questioned the trigger to permit more density in the RVD development. To him, the ordinance said there must be a sewage plant with the capacity of 150 EDUs; he realized that if Mr. Maloney constructed a plant, then he probably would already complete a planning module for it. Which comes first, the sewage plant or the planning module? Mr. Nauman clarified that this was Mr. Piper's idea to make this development work. Members discussed revising this language to reflect that both the planning module and the treatment plant must be completed before RVD-III zoning would be approved.

Ms. Steele reminded that PC that the BOS did not want this development to stay at A-I, because the Township would benefit from an RVD zoning. Mr. Nauman clarified that initial approval at RVD-I would allow for development, but if Mr. Maloney can't prove the treatment for higher density will work, then there is no

approval for an RVD-III overlay and future expansion. This would protect the Township from a sewage problem in the development.

Mr. May reviewed that this is basically a zoning issue and he agreed that this was not a perfect system. Ms. Steele reminded the PC that the BOS would like the PC to move on this and they do not require any other developer to prove that they can put sewer on a specific property. Mr. Nauman stated that for any other master plan, you would put the zoning in first and prove the infrastructure afterwards. Mr. Maloney said his preference would be to create the plan and then fit the zoning to it so it would match. Ms. Steele disagreed and said this was happening with the Barr proposed subdivision; he agreed on the original Village district but can't afford it now. Mr. Maloney suggested changing the RVD overlay concept so that both RVD-I and RVD-III could be overlays, but Ms. Steele and Ms. Del Corso stated that this debate was on the ordinance as it is now, with no major changes.

Mr. Eberhart expressed concern that if there is breakout, water from the Spring Creek basin would be discharged as surface water into the Spruce Creek watershed, an interbasin transfer which isn't optimal. Ms. Del Corso asked how this related to the zoning issue at hand. Mr. Eberhart stated that if DEP reviewed this, they would be concerned.

Other changes discussed were the Fee-in-Lieu for Open Space (page 18), changing from \$2700 to \$3000 and allowing for annual adjustments for inflation, and the corporate bonds and maintenance guarantee (p. 77). At the time of final plan, maintenance and surety bonds would be added and a Memorandum of Understanding between Halfmoon and Patton would be required.

Mr. Finkelstein reminded Mr. Maloney that the main reason he voted against the ordinance on April 20 was because he felt Mr. Maloney did not like the ordinance. Mr. Finkelstein asked Mr. Maloney if he liked the ordinance now; Mr. Maloney clarified that conceptually, he is very happy with the ordinance but there are some details that concern him (ex: submission of a master plan). He discussed at length the 'gray areas' and complications involved in submitting a plan for a 'hybrid district.' If he can't get the future amendments he needs from the PC, he would be stuck at A-I and in a difficult financial situation. This is why he would like a land-use attorney to review the ordinance one final time. Ms. Steele stated that a broader wording allows more leeway and is not specific to Mr. Maloney or his development. Before the zoning is approved, nothing further can happen. Mr. May stated that no ordinance is perfect, and he also suggested that continuing to ask for changes might not be helpful at this point.

Motion. Mr. Nauman moved to accept the RVD ordinance (including the redline changes from the April 8 work session) as it stands. Ms. Del Corso seconded.

Vote: 4-1 (Eberhart against).

Ms. Steele told the PC the tentative schedule for RVD approval would be as follows:

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| May 4 | PC would review ordinance and changes made at the April 8 work session. [PC approved the ordinance, and it will be forwarded as follows below.] |
| May 5 | Township staff would send the ordinance to Centre County PC (must be done at least 30 days prior to public hearing) |

- May 10 Advertise a Public Hearing for June 10 and send out notice to addresses where real estate bills are sent
- June 3 CRPA and CRPC review
Posting of property
- June 6 Receipt of recommendations from County and CRPC
- June 7 or 8 Open House to present the RVD to the Community
- June 10 Public Hearing before BOS and action to enact ordinance after public hearing

6. Geothermal/Well Ordinance Update

Mr. May stated the Geothermal/Well Ordinance will be presented to the PC on May 18. Mr. Todd Giddings will also be conducting a presentation to the PC.

[Note: The May 18 PC meeting was cancelled due to the Pennsylvania primary held that day. The presentations will be rescheduled for the PC meeting on June 1.]

7. Adjournment

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary