

HALFMOON TOWNSHIP
Planning Commission Meeting
May 14, 2013 7:00 pm

Present: Danelle Del Corso, Bob Eberhart, Sam Evans, Lorin Nauman, John Stevens
Absent: Jordan Finkelstein, Allen Wilson
Others present: D. J. Liggett, CRPA; David Piper, Zoning Officer; Bill Donley, resident; Ben Gilberti, HRG; Donald Houtz, resident; Toni Ann Houtz, resident; Victor Woskob, resident; 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

- a. Mr. Donald Houtz spoke against the dog kennel operation. He showed a copy of the dog kennel's original use permit and stated that they never reapplied for a commercial kennel permit. He also showed a copy of their zoning permit and a support statement signed by all of the property owners surrounding the dog kennel. Mrs. Toni Ann Houtz said that if the dog kennel is going to board dogs to support the rescue operation, then they should do it the right way as a commercial kennel. Mr. Houtz asked the PC to require the existing process be followed rather than change the zoning requirements.
- b. Mr. Bill Donley spoke because he is running for Township Supervisor. He said it was "atrocious" that the dog kennel did not have to go through the same steps that any other developer must follow to ensure its operation met safety and other requirements. He also was not in favor of having selective enforcement of policies and did not want the zoning changed for specific people. Mr. Donley and Mr. Houtz asked Ms. Liggett what the BOS had decided. She explained that the Township has three definitions for kennel: two for a standard kennel, and one for a commercial kennel. However, kennels are not currently a permitted use in the Township. Because the Zoning Hearing Board recommended the Township remedy the Zoning ordinance so kennels are permitted somewhere in the Township, the BOS then tasked the PC with reviewing the zoning districts and identifying an appropriate zoning district for kennels. The PC recommended that kennels be permitted as a general use in the Ag district, not as a limited commercial use. The BOS will consider the PC's recommendation at a future meeting.
- c. Mr. Victor Woskob told the PC he will be applying for a conditional use permit to promote a recreational riding facility on his property at 1300 Halfmoon Valley Road. Mr. Ben Gilberti, HRG, Inc. showed a sketch plan of the concept. He said

their plan would utilize the existing dairy barn as a tack/feed store, the existing house as an office and caretaker residence, and existing structures for a shop, wash bay, storage equipment, hay barn, and general barn area. They will need to construct a 50-stall stable, an indoor riding arena, outdoor riding area, and an exercise area. Mr. Woskob also said they have considered the traffic issues, including the intersection with Route 550 and Sawmill Road. They are considering eliminating the current driveway access to Route 550 and constructing a main entrance off of Sawmill Road. A second entrance is being considered on the upper side of the hill (near the old corncrib) for better traffic flow. Mr. Gilberti said there was an existing driveway at that location from a previous subdivision plan for the property. Future access would be provided off of Sawmill Road for potential estate lots at the rear of the property. He said the property owner is also working with Mr. Dave Piper on sewage issues. Mr. Gilberti said the business plan for this project will include riding lessons as a commercial venture. Mr. Eberhart asked what the ordinance allowed; Ms. Liggett explained that this may be permitted as a limited commercial use in the ag zone since it will reuse existing structures. The recreational and commercial uses proposed for the property change it from a purely agricultural purpose.

Ms. Del Corso asked for a comparison to the Standing Ovation stables, and Mr. Piper said there will be a caretaker in residence (not Mr. Woskob) and a tack shop/actual store on site. Ms. Liggett asked if PennDOT might request a turning lane on Route 550 to accommodate the increase in traffic. Mr. Gilberti said that he presented one scenario with 15 one-acre lots developed behind the equestrian facility, and PennDOT did not require a turning lane. At this point, the traffic from the equestrian facility itself would not necessitate a turning lane. Mr. Nauman noted that the 50% open space requirement for the original Barr tract, would need to be incorporated into any future estate lot development on the property. Mr. Gilberti said they would investigate that and plan for it. Mr. Stevens asked about lighting for the outdoor exercise area. Mr. Woskob said they would use some exterior lighting until about 10 p.m. for late fall, winter, and early spring lessons. The PC comments were advisory only, since the plan was presented as a sketch for information purposes.

3. Approval of May 7, 2013 Minutes

Motion. Mr. Nauman moved to approve the minutes of May 7, 2013. Mr. Stevens seconded. Vote: 5-0.

4. Reports

a. BOS Update

Ms. Liggett reported that the BOS met on May 9. The BOS heard a report from Cindy Hahn about CNET activities and then reviewed the shared driveways/private roads regulations. They reviewed Ms. Yurchak's draft of the PC recommendations, and discussed the number of lots serving a shared driveway. One BOS member felt strongly that he could not support a shared driveway serving less than four lots, one BOS member supported the PC recommendation, and one BOS member was not certain which position to

support. So, the BOS decided to table the matter until all five members were present.

The BOS also heard a presentation on the proposed DEP guidance for on-lot septic systems. Ms. Liggett noted that the guidance may not have a significant impact on the Township, since certain recommendations in the guidance is already being done in the Centre Region. If the guidance is approved, then new planning modules will have to demonstrate which of the DEP best management practices will be used to offset the nitrates going into the soil.

The final item was a preliminary discussion on proposed changes to the Development of Regional Impact (DRI) process to expand the RGB. Since the meeting was running late, the BOS members decided to send individual comments to the Township Manager and she will compile them for the next BOS meeting on May 23. One issue is whether the RGB and the SSA lines should move together or if the SSA line can be extended into an area that is not planned for growth. Mr. Eberhart stated that he would like the PC to have the opportunity to comment on this issue. Ms. Del Corso will send out the information she received from CRPA.

Ms. Liggett explained that this issue comes from the Act 537 Implementation Agreement. An ad hoc committee comprised of the six municipal managers, COG executive director, Regional Planning director, and the UAJA director is working on proposed changes to the Implementation Agreement. In order to expand the SSA currently, all six municipalities must unanimously approve. As a result of one recent request that did not receive a unanimous vote, some municipalities wanted to change the requirement so that a 4-2 vote would be sufficient. In order to change the process, there must also be a unanimous vote.

b. Zoning Officer's Report

Mr. Piper stated that he has issued building permits for Orchard Manor and some other permits for sheds, etc. Otherwise, it has been relatively quiet in the Township.

c. CRPC Update

Ms. Del Corso did not have a report since the CRPC will not meet again until June.

d. Open Space Board Update

Mr. Eberhart said the OSB will meet again on May 15.

5. Future Land Use Map – Options for Implementation

Ms. Del Corso summarized the list of permitted uses for R-1 from the April 16 PC minutes. Ms. Liggett suggested that the PC remove the term "Space" from any of the existing open space or recreational space terms to eliminate confusion with the Act 153 Open Space preservation requirement. Mr. Eberhart asked about the Open Space definition. Ms. Liggett suggested that the definition is part of the regulations that created the Open Space Program and might be better discussed by the OSPB in the future as a change to the Act 153 ordinance, if necessary.

Members then discussed the two different definitions for agriculture (VZD and Act 153). They also discussed the definition for customary home animals, and the Township's lack of a definition for livestock. The final ag definition and the other animal definitions were held until a later review of the Ag Zoning District. Members decided to remove animal restrictions for R-1 zoning district at this time.

Permitted Uses

(primary use of the land)

- Dwelling, Single Family
- Public Grounds
- Open Areas
- Open Land
- Designated well sites, potable well pump station facilities, water treatment facilities and storage tanks

Accessory Uses

(secondary uses)

- Home Occupation
- Accessory Use or Building
- Agriculture, Home

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.

GZ

AGRICULTURE, HOME

The production, principally for use or consumption of the property owner and for sale to others where such sales are incidental and for household use only, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to: garden and fruit production, and poultry, apiculture, and livestock products, in accordance with best management practices and the regulations of the Commonwealth of Pennsylvania.

APA

DWELLING, SINGLE-FAMILY

A building designed for or occupied exclusively by one family.

GZ

HOME OCCUPATION

An accessory use of a dwelling, attached garage, or detached garage or accessory building for gainful employment *that is clearly incidental or secondary to the primary use*. 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.

GZ

OPEN AREA

Unoccupied area open to the sky and on the same lot with the principal use. Open areas shall usually be in a natural state, but may include squares, plazas and formal gardens which contain minimal impervious surfaces.

VZD

OPEN LAND

That portion of a tract within a development meeting rural preservation design standards that is set aside for the protection of sensitive natural features, farm land, scenic views and other unique features. Open land may be accessible to the residents of the development

GZ

and/or municipality, or it may contain areas of farm land or a conservancy lot which may not be accessible to the public. If open to the public, it shall be so stated on the recorded plan.

PUBLIC GROUNDS

VZD

Lands intended for public usage, such as 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.

These are the definitions that the PC will hold until their review of the Ag Zoning District:

AGRICULTURE

Act 153

The customary and generally accepted activities, practices, and procedures that farmers adopt, use, or engage in year after year in the production and preparation for market crops, livestock, and livestock products and in the production and harvesting of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities.

ANIMALS

GZ

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

DOMESTIC ANIMAL

GZ

Any equine animal or bovine animal, sheep, goat, pig, poultry, bird, fowl, confined hares, rabbit, and mink, or any wild or semi-wild animal maintained in captivity.

Members then decided to move on to additional residential districts at the next PC meeting.

6. Matter of Record

- The next PC meeting will be held on June 4. Agenda items will include continued review of the Township zoning districts and may include final review of the Kristie and Richard Weiss preliminary/final plan.

7. Adjournment

Motion. Mr. Stevens moved to adjourn. Mr. Evans seconded. Vote: 5-0.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary