

**HALFMOON TOWNSHIP**  
**Planning Commission Meeting**  
**June 5, 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; Tom Zilla, CRPA; Eric Vorwald, CRPA; Kalen Brown, resident; and Christina Rider, resident; Brooks Way, resident; Jason Coopey, resident; Greg Shufran, Gregory Shufran PLS; Melissa Gartner, recording secretary

**1. Call To Order**

Chair Ms. Del Corso called the meeting to order at 7:00 p.m.

**2. Citizen Comments**

none

**3. Approval of May 15, 2012 Minutes**

Motion. Mr. Nauman moved to approve the minutes of May 15, 2012. Mr. Stevens seconded. Vote: 5-0. (Mr. Eberhart and Mr. Finkelstein were not yet present.)

**4. Reports**

a. BOS Update

Ms. Steele reported that at the last BOS meeting, they finished discussing the Township parks and designated new parking areas in the municipal parking lot. At the next meeting, the BOS will discuss different aspects of Route 550, including some road safety issues.

b. Zoning Officer's Report

No report – Mr. Piper was not present.

c. CRPC Update

Ms. Del Corso said the CRPC will meet on Thursday, June 7.

**5. Gerald & Shirley Brown – Preliminary/Final Plan**

Ms. Liggett offered comments on the revised plan, which the PC originally saw on April 3. The major revision is that the property owners decided to switch from installing a sprinkler system inside the dwelling to constructing an external water storage tank located along the private driveway (Remington Road). Ms. Liggett, Mr. Franson, and Mr. Piper reviewed the plan, and the only comment has come from the Fire Administrator. His concern was that the outlet for the water tank must be close enough to the house to allow for hose hook-up, but far enough away that the fire apparatus would not be in jeopardy during a fire if the house is fully engulfed. On the plan, he could not determine where the outlet would be located. Ms. Liggett's

suggestion was that the PC forward the revised plan to the BOS with a recommendation for approval.

Mr. Nauman reported that he spoke with Mr. Roy Ellenberger, Chief of the Warriors Mark Fire Company, who told him it was not a sensible idea to require residential water storage tanks for fire suppression. The water quantity must be maintained, and if the tank is not properly maintained, a fire company might not be able to use the tank. There are several issues with external water storage tanks, including maintaining the tank properly, filling and refilling the tank at owner's expense, and monitoring the water quality and chlorination level. Mr. Ellenberger also said the fire company would typically show up with 5,000 gallons and have another company stand in as a back-up water supply. A residential 4,000 gallon tank would pump 125 gallons per minute, giving about 15 minutes of water time. Warriors Mark has a 30 minute call time to respond to a fire and by that time, the dwelling would be lost.

Ms. Liggett noted that in the last meeting there was also discussion about the 75,000-pound road requirement in the fire protection regulations. She spoke to the Fire Administrator Steve Bair and the Emergency Management Coordinator Shawn Kauffman, who are willing to come to a PC meeting in July. Mr. Ellenberger could also be invited to come for discussion. Mr. Fennessey suggested that a representative of the Upper Halfmoon Water Company also be invited to present information on water availability within its service area.

Discussion continued and Mr. Nauman suggested recommending approval of the plan without requiring any fire suppression. Ms. Steele clarified that this plan is not about a waiver. The BOS has denied the waiver twice. Mr. Nauman asked whether these residents would be allowed to halt installation of the water tank if the fire regulations were to change in the future. Ms. Steele said that was not the case, because the owners would fall under what was required at the time of plan approval. They could reapply in the future, but that would start their process all over again. Members then learned that the Township ordinance is silent on who is responsible for assuring that the water storage tank is properly maintained and filled.

Motion. Mr. Eberhart moved to forward the revised plan to the BOS with the recommendation for approval, with the stipulation that the property owners follow the recommendations of the Fire Director. Mr. Tylka seconded. Vote: 7-0.

## **6. Brooks & Sharon Way – Planning Module and Preliminary/Final Plan**

Mr. Greg Shufuran, of Gregory Shufuran PLS, was present to answer questions about the Planning Module and the Preliminary Plan. Ms. Liggett said that she and Mr. Piper have reviewed the Component 1 Planning Module and have no comments on it, but it must be signed by the SEO (Mr. Piper). Her recommendation was that the PC recommend approval of the Planning Module, conditional on the SEO's signature.

Motion. Mr. Nauman moved to forward the Component 1 Planning Module to the BOS with the recommendation for approval, pending the signature of the Township Sewage Enforcement Officer. Mr. Stevens seconded. Vote: 7-0.

Ms. Liggett explained that the Preliminary/Final Subdivision Plan for the Way property proposes to subdivide a 1.99 acre lot on Orchard Road from a 78 acre agricultural tract. She noted that the outstanding issues from her comments include items that need to be added to the Preliminary Plan:

- An address from the County 9-1-1 Administrator prior to final plan approval,
- Details regarding the water supply source,
- Signatures on the plan prior to final plan approval,
- Approval of the Component 1 Planning Module by the BOS and the DEP,
- A note that any new potable water well construction has to be in accordance with the Township regulations regarding casing and grouting, and
- A note indicating the number of lots that have been subdivided from the parent tract, to track future subdivisions in accordance with the rural preservation development regulations.

In Mr. Franson's written comments he said that this lot is being subdivided adjacent to Orchard Road. When a property is located along a Township Road with a right-of-way narrower than 33', the property owner must dedicate a half of that to bring the right-of-way distance up. Mr. Franson suggested the owners dedicate 8.5 feet of right-of-way to the Township to widen Orchard Road. He also asked for bearing and distance for the ties on two of the new property corners (i.e., pins for location).

In Mr. Piper's written comments, he wanted a note on the plan regarding the number of lots that have been subdivided from the parent tract, a note that the front setback should be listed as 60' from the center line of Orchard Road, and information about the water supply or sprinkler system.

Mr. Jason Coopey, the new property owner, reported that he met with Mr. Sam Connor, Chief of the Port Matilda Fire Company, and showed him the location of a pond that is proposed for fire protection. Mr. Connor examined the pond and estimated its capacity at 50,000-100,000 gallons of water. Mr. Connor preferred the use of the pond over a water storage tank, with an installation of a dry hydrant to access the pond for Township use. Mr. Coopey is proposing the use of the pond instead of a water storage tank, and has prepared a request for a waiver.

Ms. Liggett said the Township Ordinance requires a water source, with the word tank in parentheses. In her opinion, this allows for interpretation regarding whether a waiver is needed for a pond, but the applicant has submitted a request for the waiver just in case. Mr. Shufran said that the other comments have been addressed on the revised plan. Members then examined the revised plan.

Mr. Nauman asked why this property needed fire suppression at all since it is located on Orchard Road and the distance to the pond was less than 750 feet, Ms. Liggett explained that because the property is not supplied by public water (located in a community water service area), owners must provide an alternate water source, either a sprinkler for the house or an external water storage source.

Motion. Mr. Fennessey moved to recommend approval of the Preliminary/Final Plan contingent on staff comments being addressed. Mr. Tylka seconded. Vote: 7-0.

## **7. Halfmoon/Patton Area Plan**

Ms. Liggett reviewed the discussion from the May 15 PC meeting on an area currently identified for mixed use in the eastern portion of the Township. This area was identified as mixed use in the Halfmoon/Patton Area Plan because the Township had been considering Rural Village Zoning for this area, with higher density development at that location. The zoning has not moved forward. Since this map will eventually become part of the Comprehensive Plan, now would be the time to suggest map changes if the development goals have changed.

Mr. Vorwald said the previous discussion concerned the land north of Route 550 near the Patton Township line. He said that Patton Township is also reconsidering the mixed use designation for their section of land north of Route 550. They may revert to a previous rural designation.

Mr. Tylka asked for the definition of mixed use. Mr. Vorwald stated it included commercial, residential, multi-family, office, retail, etc. There are also no predetermined percentages assigned to each category. Mr. Tylka then asked if the Township wanted it to stay single-family homes, could it be permitted under mixed use. Mr. Vorwald explained that if that was the preferred use, the Township should change the designation.

Discussion then continued on the land area north of Route 550 proposed for development as large estate lots. Since it was already planned for single family homes, that portion should be designated as residential rather than mixed use development. Ms. Del Corso clarified that if the Township classified this land as mixed use, this would indicate that the Township would consider zoning changes in the future. She thought that was the essential question: Will the Township support a zoning change for higher density in this area? If not, perhaps the land should not be indicated as mixed use. Ms. Liggett also raised the question of public sewer. She noted that in order to make an extension of public sewer into the Township economically viable Mr. Cory Miller of UAJA, had suggested a density of 5-7 units/acre.

Ms. Steele asked a question for Mr. Piper and Ms. Yurchak: Since the municipality must allow zoning for everything, does mixed use permit any use? The Township cannot prohibit any specific zoning. Mr. Vorwald said that mixed use is not actually a zone, it is a land use. Mr. Zilla explained that planners should use the land use map to make zoning decisions, not the other way around. Mr. Vorwald added that if the Township was not comfortable with densities higher than two units per acre, then it should not plan for any mixed use areas, because that density would not support commercial or retail businesses.

Ms. Steele said that the question is whether the Township is comfortable with a higher density, and is the area adjacent to the Patton Township line the logical location? At that location UAJA could extend public sewer, a linked road system could be constructed between the Townships, and other infrastructures could be connected.

Ms. Del Corso suggested designating the land on the north side of Route 550 as residential and keeping the area south of Route 550 classified as mixed use. Mr. Vorwald and Ms. Liggett explained that the Comprehensive Plan is a 20-30 year plan that is updated every ten years, so changes could happen now or in ten years when it is updated again.

Ms. Del Corso then suggested keeping the southern half of the land south of Route 550 as mixed use, near the possible Grays Woods Boulevard expansion, and changing the northern half of the land south of Route 550 to residential. Mr. Tylka support this by saying it would protect the rural residential character along Route 550, and keep higher density/commercial further away from Route 550.

Mr. Eberhart asked about the future plans for a Grays Woods build-out. Mr. Tylka also asked about Grays Woods Boulevard and its potential to absorb more traffic. Mr. Vorwald said it will eventually connect with Deerbrook Drive and be expanded. Mr. Eberhart asked why the Township would want higher density. Mr. Zilla explained that financially, higher density pays the bills. Ms. Steele said assuming the Township had to have higher density to be economically solvent, would residents prefer public sewer to serve the density or individual package plants that the Township would have to take over (and pay for with higher taxes). Mr. Eberhart asked whether the Township really needed higher density. He said that in the past, residents have always resisted higher density. Ms. Liggett and Ms. Steele explained that a rural lifestyle is expensive with fewer residents to pay for increasing costs for services. Mr. Fennessey said that the existing Village District around Stormstown is zoned for growth, as long as someone can figure out the physics to handle the sewage in that location. However, that location is not big enough to accommodate a large development.

Mr. Vorwald offered to meet again with Patton Township to determine how they want to classify their portion of the land south of Route 550 and then return with the revised map for PC consideration.

Mr. Tylka then asked about UAJA and sewer. Mr. Vorwald said that showing the area as mixed use would accommodate the higher density needed for public sewer, and would not preclude using other innovative technologies for sewer. Mr. Vorwald explained that the Centre Region's Act 537 Sewage Plan is the planning document that dictates how wastewater is handled in the Region. The Act 537 Plan is a legal document with law to support it, while the Comprehensive Plan is a guidance document.

Mr. Eberhart asked how much land was still available inside the RGB. Ms. Liggett said this issue was the subject of the June 20 workshop on Regional Development Capacity. There is currently an adequate supply of land within the RGB to accommodate future growth, which means the Township should not feel pressured by any developer to provide public sewer. However if the Township were interested in higher density that required an extension of public sewer she felt the other Centre Region municipalities would be willing to listen. Ms. Del Corso summarized and polled members as to their opinions:

- Leave the mixed use land area as is.
- Change north of Route 550 to residential designation.
- Change all of the mixed use land to residential.

Mr. Zilla asked the PC this question: How much are you and future residents, willing to pay for the privilege of living in a rural environment? If the Township keeps everything the way it is, there will be ramifications. If the Township chooses to send a signal that denser development will be considered, there will be ramifications.

Ms. Steele said that the current densities in the Township are limiting the availability of future services. UAJA and Columbia Gas will not come to the Township with the limited densities available.

Members were then polled on their opinions about the map, the mixed use section, and the impression that a mixed use area could encourage developers to bring higher density to the Township. Discussion continued as members debated the issues.

Motion. Mr. Stevens moved to recommend approval of the Halfmoon/Patton Area Plan Future Land Uses map as is, with the exception that the area north of Route 550 be changed from mixed use to a residential designation. Mr. Fennessey seconded. Mr. Eberhart stated that this issue deserved more discussion than it has been given, and the comments from the 2006 resident survey should be addressed. Ms. Liggett said that because this map will be incorporated into the Comprehensive Plan, the entire document will come back before the PC for review. That would be another opportunity for the PC to change the map. Mr. Nauman asked when the next cycle would be for the PC and BOS to change the map if the map stayed as is. Mr. Vorwald explained there is a process for public hearings and inter-municipal review, but changes could happen at any time during the ten-year period of the Comprehensive Plan. Vote in favor of the motion: 6-1 (Eberhart).

## **8. Matters of Record**

- The next PC meeting will be held on June 19. The only agenda item is a review of the re-plot for the Maloney Estate Lots.
- A regional workshop on the Regional Growth Boundary and Sewer Service Area is scheduled for June 20 at the Millbrook Marsh Nature Center. The workshop will begin with an open house at 6:00 p.m. and will feature a presentation at 7:00 p.m. PC members are encouraged to attend.
- The second PC meeting in July will cover the fire protection ordinance discussion. Ms. Del Corso suggested that members be prepared in advance for the discussion.
- Ms. Liggett mentioned that the Building Code Office is updating the Property Maintenance Code. Halfmoon Township does not currently participate in the Property Maintenance Code, because there have not been enough rental properties in the Township to participate. The Code Office is extending the invitation to join the discussions if the Township is interested. PC members decided that staff did not need to participate at this time.

## **9. Adjournment**

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

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,  
Melissa Gartner  
Recording Secretary