

HALFMOON TOWNSHIP
Planning Commission Meeting
August 2, 2011 7:00 pm

Present: Danelle Del Corso, Bob Eberhart, Jordan Finkelstein, John Stevens, Joe Tylka
Absent: Larry Fennessey, Lorin Nauman
Others present: D. J. Liggett, CRPA; Susan Steele, Township Manager; Melissa Gartner, recording secretary

1. Call To Order

Chair Ms. Del Corso called the meeting to order at 7:05 p.m.

2. Citizen Comments

- No citizens were present.
- Mr. Finkelstein brought up the residents working on the Township's Emergency Preparedness initiative. Their goal was to get information out to Township residents on preparing for emergencies and notifying responders if they had special needs. Ms. Steele assisted with a financial issue, since many companies are no longer printing brochures but publishing them online for private printing. She said that they would ask the BOS at the August 11 meeting for funds to print the Centre Region's Emergency Management brochure in the Township office. The Centre Region will also be sending out this brochure in the *Centre Daily Times* in the fall.
- Mr. Tylka mentioned the construction of a pond along the stream on Mr. Sam Gray's farm on the south side of Route 550. Ms. Steele said there needed to be a land development application, but she was not aware of one for this project. Mr. Piper should be aware of it.

3. Approval of July 19, 2011 Minutes

Motion. Mr. Stevens moved to approve the minutes of July 19, 2011. Mr. Tylka seconded. Vote: 5-0.

4. Reports

a. BOS Update

Ms. Steele reported that the BOS took care of minor business items at the July 28 meeting. Also, there will be no meeting on August 25 due to a lack of quorum.

The BOS received the application for the Halfmoon Land Company waiver. It was sent to Mr. Piper, Ms. Liggett, Mr. Franson, and Ms. Yurchak for review, and will go before the BOS on August 11. Mr. Maloney also submitted an addendum to the sewer planning module that had been previously rejected by the Township. In May, the BOS and the Township Solicitor had instructed Mr. Maloney that he could not submit additional information to a rejected module, but would need to submit a new module. Mr. Maloney chose to submit the addendum instead. The Township Solicitor advised the BOS to reject it administratively.

b. Zoning Officer's Report
No report because Mr. Piper was not present.

c. CRPC Update
There was no update, since the CRPC meeting will be held on August 4. The planned topic is a work session on the Comprehensive Plan update.

5. Parks Plan – Trail Update

Ms. Liggett and Ms. Steele had discussed the Trotter Farms section of the trail, and researched the right for the public to use this trail segment with Ms. Smith, Township Secretary. They found nothing permitting public access to Trotter Farms. Ms. Steele spoke with Ms. Yurchak, and Ms. Yurchak's recollection was that the intent was to have public access to the development, but they could find no written proof. The only note on the plan was the Open Space was to be conveyed to the Homeowners' Association. [The trail in question is located in the Open Space area.]

Mr. Stevens remembered that the PC discussed several times that the trail should be opened to the public, but once a development was built, the Township had no enforcement mechanism to ensure that what the BOS or PC asked for was actually provided.

Ms. Steele said that there was only one copy of this plan in the County that mentioned a 6' or 8' trail, but did not mention ownership or public access. She said that she found e-mails from Mr. DeGregorio and the developer mentioning public access to a trail, but nothing was formalized. Ms. Yurchak thought public was mentioned in the Deed of Dedications, but it was not.

Ms. Liggett spoke to Mr. Tony Fruchtle, Penn Terra Engineering, and he said that S&A still owned the controlling interest in the development since not enough lots had been sold to turn it over to the Homeowners' Association. Mr. Fruchtle remembered discussions about public access to the Game Lands. Ms. Liggett explained to Mr. Fruchtle that one option would be to stick to the Township streets and not use the 'pink line' on the trail map.

Ms. Del Corso said that since this segment is near the end of the trail, the Trotter Farm residents and Sawmill Road residents would be most likely to use the trail. Mr. Eberhart suggested asking S&A or the residents which would they rather have, pedestrians on their streets or on a trail. Ms. Steele said one motivator for the residents would be if the Township got an easement, the Township would take over maintenance of the roads. Ms. Del Corso said that she thought waiting on this issue might be prudent because there was no existing trail on the western side to connect to the Trotter Farms land.

The 'missing link' trail across the Taylor and Barr properties and the Wildlife Corridor was recently added to the Official Map. Now, if one of the property owners brings a development plan to the Township, the Township has an opportunity to talk to them about the trail. Because the trail is on the Official Map, it gives the Township one year to take action: purchase the land outright, work with developer for an easement, or let the developer do what they want after 365 days.

Ms. Steele said making the Trotter Farm residents part of the process might be a wise step; they could still say no, but asking for their input first might deflect some hostility. Ms. Liggett added that the Wildlife Corridor folks were not keen on bike

access because the movement of bikes would disturb wildlife more than pedestrians would.

Ms. Del Corso summarized that one option was to remove the pink 'public access' segment from the trail map and make the Trotter Farms roadways yellow for 'share the road.' Another option would be to meet with the Homeowners' Association to discuss the existing trail system in Trotter Farms.

Ms. Liggett said that she will meet with the Parks and Rec Board on August 9, and she would prefer changing the pink segments into yellow 'share the road' connections and explaining to the Parks Board that the PC's thoughts were to utilize the trail but first meet with the Homeowners' Association.

Motion. Mr. Finkelstein moved to direct staff to change the public access (pink) trail segment through Trotter Farm to public street access (yellow) through Trotter Farms, arrange a meeting with the Trotter Farms Homeowners' Association to discuss the opportunities for utilizing the trail system in the future, and introduce the idea of yellow share the road signs. Mr. Tylka seconded. Vote: 5-0.

6. Open Space Review – Update

Mr. Tylka gave the PowerPoint presentation he gave to the BOS and the Open Space Board.

The Open Space Five-Year Review Board reviewed the objectives, the first ten years of the program, short-term and long-term funding, current issues, and future recommendations. Two key questions were: Is the land within the program consistent with the objectives? and Has the funding been utilized efficiently? The Review Board felt that both answers were affirmative. The following is a summary of the PowerPoint presentation.

Open Space Program review

- started in 2003
- plan was to capture 3,000 acres
- tax rate set at 2 mils, growing at 1% per annum
- leases set for 99 years
- lease payments had a CPI annual adjustment, averaging 2.8% per annum since 2003
- first leases closed in 2003
- in 2005, "recurring" 20-year advance rental payment feature to stimulate higher landowner interest – last 20 years in advance cash right now, every 5 years, they would do it again
- conservation easement purchases added in 2008

Results

- 2013 acres in the program: 1975 acres leased, 38 acres purchased through conservation easement
- annual rental payments increased at rate of 2.8% from 25/acre to \$30.40/acre

Program Use of Funds to date

annual rentals	\$249,583
advance payment	\$1,001,617
conservation easement	\$193,499

legal and recording expenses	\$32,595
other costs (reports, engineer, appraisals, etc)	\$21,080

Property summary

property size	number of properties	total acres
10-25 acres	7	106
25-50	8	272 (includes 38 CE)
50-100	3	202
100+	<u>9</u>	<u>1,433</u>
Total	27	2,013

Funding

▪ beginning cash position for 2011	\$37,746
▪ tax funding	\$138,916
▪ annual lease payments	\$60,040
▪ 20 year advance payments – new	\$34,410
▪ expenses	\$19,000
▪ ending cash position for 2011	\$63,363
▪ recurring 20 year advances	<u>(\$392,689)</u>
▪ shortfall	-\$329,326

Luckily, they did not receive all of the 20-year advance payment requests for which homeowners were currently eligible.

First Model: Base forecast with no new leases/CEs

Assumptions:

- 265 new acres leased in 2014
- no further advance rentals
- CIP increases at 3% per annum
- tax base increases at 1% per annum
- expenses @ 12,000 increasing at CPI rate
- no interest income

Result: funding continues at a surplus throughout the program

Second Model: Add 265 acres to the OSPP in 2240

Assumptions same as previous, except:

- 265 new acres leased in 2014
- one time 20-year advance rental paid to new leasers for \$182,000

Result:

- program cash position reduced to zero at year end
- annual budget shortfall commencing in 2084 continuing for 4 years peaking at \$86,000
- program concludes with a funding surplus through maturity due to a “roll off” of Advance rentals

Mr. Tylka then showed a spreadsheet showing ten years of data from previous Township budgets. He took all the information on existing leases, interest rates, payments, etc., and projected what the OSPP revenue would be over the life of the program.

Current issues

- funding is inadequate to support “recurring” 20 year advance feature
- interest in program has waned
- lease program documentation creates a “non-refinance” condition for landowner
- no ongoing financial management of program
- other costs for maintenance of Open Land not considered

Review team recommendations on funding

- suspend the “recurring” 20-year advance payment feature, notify landowners
- establish a priority for funding (new leases, conservation easements, annual rentals, advance rentals, maintenance)
- incorporate use of a financial forecasting model in program decisions
- maintain existing tax millage rate (no tax increase)

Review team recommendations on legal and process issues

- correct the inconsistencies between the ordinance and the lease
- update the documentation to clean up recurring negotiated issues
- develop and implement required Map per Ordinance as to which properties can be placed in Open Space Preservation Program (should PC, OSB, or staff do the same?)

Mr. Tylka summarized that the review team had concerns that structurally, the BOS had unlimited control over which properties were allowed into the program. They felt that more structure would provide a check on this, and prevent potential future bias.

7. Matter of Record

- CRPA Director Jim May will attend the August 16, 2011 PC meeting to discuss a potential growth management strategy for consideration during the Comprehensive Plan update. Mr. May’s “My View” article on the benefits of the Comprehensive Plan was printed in the July 30 *Centre Daily Times*. The online survey deadline has been extended to August 19.
- The PC subcommittee (Danelle, Susan, and D.J.) has scheduled meetings for August, September, and October to review the Definitions contained in the Township’s Codified Ordinances and will prepare recommendations for revisions. The first meeting is scheduled for August 15 at 3:00 p.m. in the Township building. This effort is expected to take several months to complete.

8. Adjournment

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

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,
Melissa Gartner
Recording Secretary