

**HALFMOON TOWNSHIP**  
**Planning Commission Meeting**  
**August 21, 2012 7:00 pm**

Present: Danelle Del Corso, Bob Eberhart, Larry Fennessey, Jordan Finkelstein, Lorin Nauman, Joe Tylka  
Absent: John Stevens  
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**

none

**3. Approval of July 17, 2012 Minutes**

Motion. Mr. Nauman moved to approve the minutes of July 17, 2012. Mr. Tylka seconded. Vote: 6-0. Mr. Tylka suggested that it might be helpful for the BOS to read the Fire Protection Regulations section since it contains a lot of good, detailed information. Ms. Liggett will ask Ms. Steele share the minutes with the BOS.

**4. Reports**

a. BOS Update

Ms. Liggett reported that the BOS will meet this Thursday, August 23. They will discuss the Future Land Use Map, which will be incorporated into the Comprehensive Plan. One issue that will be presented to the BOS is a review of the Future Land Use Map from the 2000 Comprehensive Plan, because most of the Township was colored green for agriculture at that time. Currently, since Halfmoon does not have true Ag zoning, much of the Township will now be colored yellow for residential.

Ms. Liggett added that Mr. Maloney will not be present at the BOS meeting this week. He has not yet submitted a revised plan or a planning module for his current project. Mr. Piper met with him today (August 21) and signed as the Sewage Enforcement Officer but could not sign off as the Zoning Officer because the material was still incomplete.

b. Zoning Officer's Report

No report, because Mr. Piper was not present.

c. CRPC Update

Ms. Del Corso reviewed the discussions from the August 1 CRPC meeting. The agenda looked light with only a few agenda items.

Mr. Fennessey asked about the current DRI. Ms. Liggett reported that the DRI was referred to the General Forum. Several conditions were also put forward to consider. One is that the RGB could be expanded if the 106 acre property is

subdivided so that just the 28 acres needed for the church is included in the RGB. One of the municipalities requested a deed restriction on the remaining property to assure that the RGB would not be expanded again in the near future. The conditions were referred to the COG Public Services and Environmental Committee and the solicitors for the COG and Harris Township. Both solicitors said the conditions cannot be legally enforced by the COG. COG's purview is merely to decide whether the RGB will be expanded or not. This issue will come before the General Forum on August 27. Ferguson Township and perhaps one other municipality may vote against the expansion. Since an expansion of the RGB must be approved by unanimous vote, anything less than 6-0 means the DRI will be denied and the petitioners will need to wait two years before reapplying. The church has said publically that if the DRI is denied, they will proceed with their project and an on-lot septic system.

### **5a. Centre Region Comprehensive Plan (Community Facilities)**

Ms. Liggett presented the next two elements of the Centre Region Comprehensive Plan: Community Facilities & Housing. This is a policy document to guide future growth and development in the Centre Region. While it is adopted regionally, it is implemented at the local level by municipal planning commissions and governing bodies.

The Community Facilities element encompasses water, wastewater, sewer, trash and recycling, utilities, emergency services, and public schools and libraries. Ms. Liggett reviewed the goals and objectives for each of these areas.

#### Water

Mr. Eberhart suggested adding a policy for protection for recharge areas. Discussion continued and members decided upon the following language to be added as a new objective under Goal 1.1 in the Water section: "Ensure that a future long-term quantity supply of regional ground water is available."

#### Wastewater

Mr. Nauman and Ms. Steele discussed the monopoly aspect of UAJA sewer service. Ms. Steele's point was that growth should be driven by zoning, rather than sewer service. Mr. Nauman supported keeping the wastewater alternative technology policy in this element. Discussion continued about the merits of UAJA operating an advanced/alternative technology waste water system. Members supported keeping this language in the element.

Mr. Nauman then asked about the method of allocating development within the RGB, so that one municipality did not maximize their build-out and use more than their fair share of sewer services. Ms. Liggett said that in a recent study, the worst case scenario with the most intense build-out still had available land inside the RGB for over 12,000 dwelling units and 6.8 million more square feet of non-residential uses. The study indicates there is an adequate supply of land available inside the RGB for future development. Wastewater treatment and discharge capability is available for the next 30 years, based on present development trends.

Discussion continued and Ms. Liggett explained the following: Outside the RGB, a municipality must submit a DRI and receive a unanimous vote to expand the growth boundary. Inside the RGB, if a municipality wants to change its zoning or rezone to increase its wastewater discharge by more than 50 EDUs, it must submit a DRI to notify the other five municipalities and give them an opportunity to comment. The General Forum does not take action on re-zoning requests, but does have an opportunity to provide comment.

#### Refuse and Recycling

No comments.

#### Utilities

No comments.

#### Emergency Services

Members supported Ms. Liggett's comment that under the utilities and emergency management sections, residents inside the RGB should be able to expect certain services, while residents outside the RGB should realize that certain services are not guaranteed. Mr. Nauman also suggested adding language to the emergency management section that there are public education efforts to encourage residents outside the RGB to take precautions to protect themselves in an emergency.

#### Public Schools and Libraries

No comments.

### **5b. Centre Region Comprehensive Plan (Housing)**

Ms. Liggett reviewed the goals of the Housing element, noting that the Housing element has many sections focusing on affordable housing and accompanying services (day care, pharmacies, etc.). Currently, few neighborhood commercial services are available in the Township. Mr. Tylka discussed the cost of commuting, which could offset the lower cost of housing in the Township. Members then discussed the issue of trailer parks disappearing inside the RGB. Since these were the original affordable housing, members felt it was ironic that this language is in the Housing element while municipalities are seeing the rapid disappearance of trailer parks. Mr. Nauman also asked if it could be incorporated into the Economic Development section that new businesses should offer affordable housing on upper floors. Mr. Fennessey countered with the scenario that if an apartment were cost-effective and affordable, unrelated students with multiple incomes could move in and pay more than a single family could.

Ms. Liggett said that other municipalities would like to see a study of the impact of student housing on affordable housing. Members decided to finish the Housing discussion at the next PC meeting on September 18.

## 6. Shared Driveways & Private Roads

Ms. Liggett reviewed that at their July 26 meeting, the BOS continued their discussion regarding proposed changes to the Driveway Ordinance to reduce the number of lots served by a shared driveway from four to two. The BOS had concerns about the impact on RPDs.

Ms. Liggett then shared a Township map highlighting the Township's current 24 shared driveways, which serve 60 homes. Ms. Liggett explained the following:

- A new private road can serve no more than three lots, has a public road sub-base, and a 50' right-of-way.
- A shared driveway in an RPD can currently serve four lots.
- If the driveway is not in an RPD, it can only serve two lots.

The map also showed properties of 10+ acres that could be developed as RPDs and would be eligible to utilize shared driveways to serve four lots. Development of these properties could eventually yield 124 additional shared driveways.

Currently, new private roads can only serve three lots but RPD shared driveways (with fewer right-of-way and construction requirements) are allowed to serve four lots. The BOS does not seem to support reducing the driveway regulations from four lots to two, and would prefer leaving it at four because of the current RPD regulations exempting up to four lots.

Ms. Liggett noted one idea discussed with the Zoning Officer would be to eliminate new private roads and permit shared driveways to serve three lots Township-wide. Mr. Nauman suggested leaving it at two lots per shared driveway but allowing a waiver for site-specific issues or proof of hardship. Ms. Steele and Ms. Liggett then explained the complication of driveway waivers. Because the driveway regulations are contained in a stand-alone ordinance, which also requires driveway permits for paving, widening, etc., it is not clear that the regulations can be waived, as they could be if they were part of the subdivision regulations. This question was referred to the Township solicitor for an opinion. In order to grant a waiver for a shared driveway, the waiver language would have to be written into the regulations.

Mr. Fennessey said that the initial intent was to discourage any new private roads in the Township.

Ms. Liggett said the BOS asked if the PC's main concerns about reducing the number of lots on a shared driveway were related to emergency access and identification. Members said they were concerned with those issues; they also debated the effect of the increased number of driveways onto Route 550 if the PC reduced the allowable number to two lots. Mr. Nauman discussed the lack of enforcement available if a developer does not uphold his/her responsibilities. He reviewed the situation on Apex Drive. If the regulation cannot be enforced, then it does not have a real purpose.

Discussion then focused on the differing requirements for private roads and shared driveways. Members expressed concern that a private road, which has more stringent requirements, is restricted to fewer lots than a narrower, less structurally sound shared driveway. Then, discussion focused on future development if an owner wanted to expand a shared driveway into a private road. If an adequate right-of-way is not included in the initial plan, the lot may not be able to be further developed in the future. A different tactic would be requiring that the right-of-way be planned at the outset of

development, even if a private road is not built for years. PC members came to agreement that the Driveway Ordinance should have the following categories and criteria:

- Shared driveway
  - serves no more than 2 lots
  - house numbers required at the public way and at the end of driveway
- Private road
  - serves no more than 4 lots
  - road name and “private road” be installed at the public way
  - house numbers required at end of driveway
  - 50’ right-of-way
  - public road sub-base
- Public road
  - 50’ right-of-way
  - asphalt top over public road sub-base

Staff will write up a summary for the next PC meeting in September.

## **7. Matters of Record**

- The next PC meeting will be held on September 18. (The PC meeting scheduled for September 4 has been cancelled.) Agenda items will include continued review of the Housing element, and review of the Community & University Relations, and Sustainability elements of the Comprehensive Plan, as well as the future land use map.
- Following up on the Planning Commission's discussions regarding the fire protection regulations, the Centre Region municipal managers, fire officials and planners from Ferguson, Halfmoon, Harris and Patton Townships met to discuss possible changes to the municipal fire protection ordinances. Since these regulations were adopted regionally, there was interest in discussing them at the regional level to assure consistency. The discussion focused primarily on water availability for fire protection in rural areas outside community water service and did not address all of Halfmoon Township's concerns.
- Ms. Liggett now has both the ISO and hydrant maps for the Upper Halfmoon Water Company system. Members then discussed hydrant placement, lots not currently serviced by hydrants, and other issues. Mr. Fennessey also suggested adding Fire Protection information to the Township website instructing residents on property protection until the fire fighters come on-scene. Fire fighters from Port Matilda and Warriors Mark will be invited to a PC meeting in October to continue this discussion.

## **7. Adjournment**

Motion. Mr. Nauman moved to adjourn. Mr. Tylka seconded. Vote: 6-0.

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,  
Melissa Gartner  
Recording Secretary