

HARRIS TOWNSHIP

Planning Commission
Minutes of February 22, 2005
REGULAR MEETING
7:00 PM

MEMBERS PRESENT:

Chairman Mary Ann Kresen, Edward Benner, Bob Igo, Charles J. Keener, and Bob Potter. Ronald Buckalew and Paul Weener joined the meeting late.

OTHERS PRESENT:

Kristin Clark, Township Manager; Todd Shea, Zoning/Ordinance Officer; Phyllis Favorite, Staff Assistant; and D. J. Liggett, CRPA Planner; Fred Edmiston, Edmiston Signs; Dane Hooper, Boalsburg Technology Park; Ray Regan, PennTerra Engineering; Barry Begoumian, Leo Sahakian, John Sepp, and Terry Williams, Sunrise Homes/Aikens Lot #3; Chris Dry, Boalsburg Fire Company; and Township residents Randy and Mindy Aikens.

CALL TO ORDER

Chairman Kresen called the meeting to order at 7:02 p.m.

APPROVAL OF MINUTES

It was moved by Mr. Potter, and seconded by Mr. Keener, to approve the minutes of January 10, 2005. The motion was approved unanimously, 5 to 0.

Mr. Weener and Mr. Buckalew joined the meeting at 7:04 p.m. and 7:05 p.m., respectively.

PUBLIC COMMENT

Chairman Kresen asked for public comment. None was received.

Mr. Potter commended the Planning Commission for its decorum in its meeting practices.

Chairman Kresen noted that the agenda contained suggested time allocation as recommended by Staff on each agenda item. The goal is to inform Commission members of the possible time involvement of each topic. This is of particular value when an issue may be lengthy.

PLANNING COMMISSION BUSINESS

A. Lighting Ordinance Changes

Ms. Clark noted that the Planning Commission had discussed four items relating to Township outdoor lighting at its October meeting, per the request of the Board of Supervisors. The Commission was asked to consider:

1. Measuring output of lights in lumens
2. Preventing light trespass
3. Regulating canopies or backlit signs, and requiring down lit signs, instead.
4. Protecting the night skies as a regional issue.

Ms. Clark reminded the PC it had voted to not consider Item 1, and to combine the other 3. Of those, the current Light Ordinance covers Item 2 already, and all new lights must comply with it, although existing lights are grandfathered. She noted that Mr. Edmiston and Mr. Hooper had been invited to speak to Item 3 and discuss various methods of lighting signs. She added that Item 4 is difficult to specifically address and control at the Township level, but it would be dealt with indirectly through enforcement of the ordinance.

Mr. Shea introduced Dane Hooper, a member of the Boalsburg Investment Group, and Frank Edmiston, of Edmiston Signs, who attended the PC meeting to speak to proposed changes to the Light Ordinance. Mr. Edmiston remarked that it is important to be current with lights, and that for sign purposes neon and LED lights are best suited. He said that these lights could be adjusted to the needs of the customer. While acknowledging down lit signs may be desired, he discouraged their use because there are many problems with them, as this type of sign is high maintenance. The weather causes the arms on the lighting to break, there are reflection problems on the sign, and down lighting can block a sign's message because of the reflection. Up-lit signs, he noted, cause problems with vision, especially on foggy nights. They are more beacon-like in effect, and many businesses are moving away from their use. These businesses have found that neither down lighting nor up lighting gives them the best effect for their business.

Chairman Kresen asked if there was an issue in the Village that prompted the concern. Ms. Clark responded that there have been no complaints that she is aware of in recent time, and that the request for the amendments came from the Board. Mr. Shea added that the only sign of issue about which he has heard is one that predates the existing ordinance.

Mr. Weener stated that he believed the current sign ordinance covers most of the issues. Ms. Kresen asked if contact could be made with those owning the offending signs. Mr. Shea replied that these attempts have not proved successful to date. The typical response is that the sign in question was erected before the ordinance was adopted, is grandfathered, and there is no willingness to change. Ms. Kresen asked if the Township could refuse canopy signs. Mr. Shea answered that there is likely a case law that makes that unlikely, but the Township may be able to require that they be shingled so that no light shines through.

Ms. Clark noted that the objective is to look for suggestions of items to add to the current Lighting Ordinance, as opposed to overhauling the ordinance. She added that she would take all suggestions under advisement, and report back at the next meeting.

B. Rezoning Request – Aikens Lot #3

Ms. Clark reported that at the Board meeting on February 14, a request as received from Sunrise Homes, Inc. to rezone Lot #3 of the Aikens Subdivision from Agricultural to R-2, or to change the uses allowed in Agricultural to those allowed in R-2 under those circumstances cited in Mr. William's letter, included in the agenda. She informed them that the Board forwarded the request to the PC and to CRPA for review and comment, and that the developer's intent at this meeting was to present the plans and why rezoning is sought. Staff will then work with CRPA for input and then convey the information to the PC in March.

Mr. Williams, legal advisor for Sunrise Homes, remarked that the parcel is a peninsula in an otherwise developed residential area. He also noted that in addition to asking for the rezoning, the group would also be asking to modify the Act 537 Plan to provide sewer service, although the character of the area lends itself to such. The parcel is sandwiched between a commercial area and R-1, Bear Meadows Village.

Mr. Weener asked if there were one or two requests being made. Mr. Shea responded that a single request was being made, with an alternate that would encompass a change to allow them to do what they wished. He noted that residences in Agricultural zoning fall under Rural Clustering, which requires 50% open space and the remaining 33 acres of the 66 developed as single family.

Also at issue is that there are wetlands within the parcel, and a limited number of acres that can be developed. The type of housing may also be an issue.

Ms. Liggett asked Mr. Sepp what is his understanding of the extent of the Sewer Service Area (SSA). He responded that the drawing was incorrect, and that the parcel was in fact not in the SSA; the group is asking to have that parcel added to the list of areas being requested for inclusion in the SSA. Ms. Liggett observed that it has already been added for discussion, but that decision will not likely be made until 2006, and that the review of the SSA will be lengthy, as it will take the consensus of all municipalities to add areas. Mr. Williams countered that the sewer is already there, and that is what the request is based on. Mr. Begoumian added that the housing would be either upscale duplexes or ¼ acre lots because of the limited site size.

C. Aikens Recreation Park Preliminary Land Development Plan

Mr. Shea noted that Ray Regan of PennTerra Engineering had submitted a preliminary land development plan on December 14, 2004, for a revised version of the Aikens Recreation Park, which the Planning Commission had viewed a few years ago. While the original version had outdoor recreation, the revised version proposes pavilions and cabins for temporary lodging, as well as picnics and other gatherings. Staff has completed second reviews of the plan, which were included in the PC's agenda. He said that staff recommends approval of the plan, pending completion of outstanding review comments, and forwarding it to the Board.

Chairman Kresen questioned sewage ability traversing the wetlands on the site. Mr. Shea said that the Sewage Enforcement Officer stated that, as long as nothing changes, he could approve the plan. There is a septic system, and holding tanks that are required to be pumped out every 2 years. Ms. Liggett added that there is an off-site septic system for the lot, and that that septic is piped onto an adjacent lot where the soil is suitable and where there are holding tanks. She noted that there is a request to CRPA for consideration of extending the SSA to this area also.

Mr. Keener recommended approval of the Aikens Recreation Park Preliminary Land Development Plan, pending satisfaction of outstanding review comments, and forwarding it to the Board for its consideration. Mr. Potter seconded the motion. The motion was approved unanimously.

D. Rudy Planning Module

Ms. Liggett reported that Bob Meyers of Dana Boob Surveying and Engineering had submitted a minor subdivision plan earlier this year that would

create two lots from the Myron and Dolores Rudy property on Bailey Lane. On-lot sewer service is also proposed, and a planning module has been submitted for review to the PC. Ms. Liggett said in addition to her review, the SEO had also done so. There are minor comments regarding sewage that must be addressed before it can be referred to the Board and DEP for their approvals, as well as execution of the owner's signature block once the terms are met.

Mr. Potter moved to authorize the Planning Commission Chairman to execute the Planning Module, pending completion of minor/technical items and contingent on the owner's signature, and refer it to the Board of Supervisors. Mr. Keener seconded the motion. The motion was approved unanimously.

E. Official Map

Ms. Clark noted that at the joint meeting with the Board on January 26, the PC presented a draft Official Map (OM) for the Board to review. The Supervisors had indicated they were supportive of the goals the PC had developed, as well as of the draft Map. She added that the PC must decide if the draft is at a point where it can be forwarded to the Board and other Township entities for consideration, then ultimate adoption by the Supervisors. She reminded the PC that they would still have opportunity to review and comments on the OM as it proceeds through the formal public process.

Ms. Clark also informed the PC that the Parks and Recreation Advisory Committee (PRAC) had reviewed the draft Map at their February 9 meeting, and recommended that it extend a path from Torrey Lane to Tussey Mountain Recreational Area and the Galbraith Trailhead by following the historic trail way, thus reducing the vertical grade to access the State Forest. Mr. Weener remarked that the problem with the suggestion is that the path would cross a lot of private land, and that there is a 20-acre lot that will not likely be developed. Still, he said he could see no reason not to add the connector to the Map. By general consensus, the other Commission members agreed.

Mr. Keener moved to approve the draft Official Map, with the addition of the connector from Torrey Lane to the Galbraith Trailhead as recommended by the Parks and Recreation Advisory Committee, and forward it to the Board of Supervisors for consideration and adoption. Mr. Igo seconded the motion. The motion was approved unanimously.

Mr. Potter asked if it would be worth addressing a connector between Bear Meadows Village and the potential development next to it. Ms. Liggett responded that it would be important to make a distinction between a walking connector and a driving connector, as the latter could be perceived more negatively. She recommended the walking connector as the better option.

F. State of Planning Report

Ms. Clark reported that the Municipalities Planning Code (MPC) requires that the Planning Commission submit an annual report, due by March, to the Board of Supervisors accounting the activities of the prior year. The report must be approved and/or amended and then forwarded after the Commission's review.

Mr. Keener moved to forward the "State of Planning Report" to the Board of Supervisors. Mr. Potter seconded the motion. The motion was approved unanimously.

REPORTS:

Zoning Permits: None were available at this time

CRPC: Mr. Buckalew reported that the CPRC had elected new officers, and that he is the representative to the MPO. The committee held reviews and interviews for 5 consulting firms to do the Act 537 update, and will recommend HRG from State College. They will be revising the Bylaws and Articles of Agreement, since they were last revised in 1982 and are in great need of change.

Village District Study: Mr. Potter reported that Ms. Liggett, Ms. Clark, and he had met to identify issues for the Village. Parking is a main issue, and very complicated. It is unclear whether the parking ordinance itself has contributed to the problem. While they cannot change current problems, the goal is to prevent further exacerbation of the situation. He remarked that they looked at the vicinity of Church and Pine streets by the Post Office, and that there is a concern for site visibility. Ms. Clark noted that the Board had also talked about the intersection and is looking at restricting parking there.

Other

Mr. Potter asked what the next main projected issues would be after the Official Map. Ms. Clark said housing density, traditional neighborhood design,

agricultural preservation, and riparian concerns, as well as the Act 537 update would all be future matters. Mr. Shea added that there is only one major R-1 zone remaining, and that housing density needs to be addressed soon.

Ms. Liggett announced that the Planning Commission orientation would be held Wednesday, March 30, from 7:00 to 9:00 p.m. at the COG Building.

Adjournment

Mr. Potter moved to adjourn the meeting. Mr. Keener seconded the motion. The motion to adjourn was approved unanimously. Chairman Kresen adjourned the meeting at 8:48 p.m.

Submitted by

Kristin Clark, Secretary