

Orwigsburg Planning & Zoning Commission
Meeting Minutes
July 15, 2015

The Orwigsburg Planning & Zoning Commission met on Wednesday, July 15, 2015 in Council Chambers. Chairman Darin Brensinger called the meeting to order at 7:30 pm and the Pledge of Allegiance was recited.

Attendance: Chairman Daring Brensinger, Vice Chairman Paul Bedway. Members: Chuck Ricketts, Jeromy Guistwite, Nick Bagdonis, Kay Jones and Tom O'Brien. Attorney Sud Patel, Planning Consultant Greg Stewart, Borough Manager Bob Williams and Borough Secretary Sherry M. Edwards.

Visitors: Ed Davis, Pat Higgins & Dakota Ramus of Miller Brothers, Joey Geiger and Mr. Geiger of 35 Oakdale Estates, Bill Knecht of 204 S Warren St, John Jones of 111 W Market St; Jerome Skrincosky of Hawk Valley Associates, 207 Maple Grove Rd, Mohnton; Darrell Kunkel of 1010 E Market St; Sgt. John Koury.

A motion to approve the June 17, 2015 minutes as presented was made by Kay Jones, second by Tom O'Brien. Unanimous.

Public Comment:

Sgt. Koury was present to express his concerns with traffic traveling east on Rt 443 and turning left onto Seton Manor Drive to enter the Dollar General store. Sgt Koury noted since 2010 there have been 15 accidents at that intersection.

Ed Davis noted variety stores peak hours are between 4:30 and 6:00 with less than 30 cars with no more than 3 or 4 cars during non-peak hours.

Since the building is less than 10,000 gross square feet a traffic study is not required.

Suggestion were made to install a "left turn ahead" sign or reduce the speed limit. Currently speed limit is 45 mph.

Bob thanked Sgt. Koury for attending and advised the commission will take his concern into consideration.

Old Business

Pine Creek Life Care Community

Attorney Sud Patel reviewed the four amendments and offered his recommendations:

#1 Section 2.02 – Request to revise the term Retirement Adult Community. Legal Counsel is concerned with the phrase other subordinate uses is vague and ambiguous and the word

“typically” is not susceptible to an easy interpretation. Also the last sentence requested is redundant since that what the law requires anyway. Recommends the commission deny the amendment request.

County – Recommends the borough consider either refrain from the language to state and or other accessory uses to ensure that any other uses are both subordinate and customarily incidental. Or provide specific subordinate uses.

#2 Section 10.07.C Size of Parking Spaces – Legal Counsel Concerned with dimensional issues and cart width issues. Recommends the commission deny the amendment request.

County – Reduction in parking space size would affect all uses in all districts.

#3 Section 10.21. B Revise definition of “landowner” – Legal counsel is concerned with if the landowner is not a single owner than any partners constituting a landowner be identified if the landowner are a corporation or entity that either the shareholder or members be identified so long that it’s not a publicly traded corporation. Recommends denying the amendment request.

County – Recommends the borough review the definition of “landowner” found in the definition section of the ordinance. If borough approves amendment its recommended borough revise the definition of “landowner” to eliminate ambiguity.

#4 Section 10.21.F – 100ft Setbacks – Legal counsel is in agreement with clarification that all principal buildings occupied by a permitted use be located at least 100’ from all external tract boundaries. Also in agreement with accessory buildings utilized for subordinate use so long that it is consistent with subordinate uses in the ordinance being located at least 25’ from all external tract boundaries. Parking areas pertaining to five or more spaces being located at least 25’ from all external tract boundaries. Our preference would be that all off street parking areas be located at least 25’ from external tract boundaries. The language dealing with utilities, Storm Water Management facilities, streets, driveways curbs sidewalks etc. having to comply with the setback requirements specified by the borough is redundant.

County – Compared current ordinance with purposed amendment for accessory buildings and parking spaces and or parking lots in the R1 district and a 25’ setback does not appear to be unreasonable.

A vote was taken to approve/deny amendment request on Section 2.02.

Approve – 0

Deny – Unanimous.

A vote was taken to approve/deny amendment request on Section 10.07.C.

Approve – 0

Deny – Unanimous.

A vote was taken to approve/deny amendment request on Section 10.21.B.

Approve – 0

Deny – Unanimous

A Vote was taken to approve/deny amendment request on Section 10.21.F.

Approve – 1

Deny – 6

A motion to have the solicitor issue a formal report of recommendation to Council was made by Kay Jones, second by Nick Bagdonis. Unanimous.

Dollar General

Greg Stewart reviewed the revised plan submitted July 1, 2015:

- Sidewalks along Rt. 443 have been added
- A note for curb requirements was added to plan
- Screening buffer waiver
- Signage will be addressed in zoning permit submission
- Construction Improvement Agreement – documentation being addressed
- Storm Water Management
 - 15” pipe requested – 18” required. Waiver requested
 - Schuylkill County Conservation District – in the process of addressing comments
- Water/Sewer details are being worked out with Entech
- NPDES permit still needs to be acquired

The Commission addressed concerns with the building’s façade and asked if the building could be constructed with a more pleasing façade and a different roof line other than just a flat roof. Due to the store being located at one of the gateways to the borough a more esthetically pleasing building would be suitable. The borough does not have provisions for esthetics.

Ed Davis noted he looked into the budget for the project and since a sidewalk was not part of the original plan a chunk of the budget was used for the sidewalk. The project is too far along to make any changes to the design of the building. He will add more landscaping around the building along with the landscape buffer screening requirement. Additions to the plan will be forwarded to the engineer for review.

A motion to recommend approval for the waiver of Section 405.H of the Storm Water Management Ordinance requiring a minimum pipe size to be 18” – plan utilizes a 15” pipe was made by Nick Bagdonis, second by Paul Bedway. Unanimous.

A motion to recommend conditional approval on the Dollar General Plan based on a final review from the Planning Engineer was made by Nick Bagdonis, second by Chuck Ricketts. Unanimous.

New Business

Boy Scout Joey Geiger was present to fulfill his requirement for Scout Troop 624.

The Villas – All information requested has been submitted. Project will be on Borough Council's agenda for August.

A discussion was held regarding the following:

- Implementing architectural areas and Historical District
- Traditional Residential Development
- Commission to review the Comprehensive Plan
- Start the process of updating Zoning Ordinance in August
- Review past projects for problems areas

Darrell Kunkel mentioned for the commission to take a look at the façades of the different commercial buildings in the surrounding area.

There being no further business the meeting was adjourned at 9:10 pm on a motion made by Kay Jones, second by Nick Bagdonis. Unanimous.

Respectfully submitted,

Sherry M. Edwards
Borough Secretary