

Orwigsburg Planning & Zoning Commission
Meeting Minutes
January 18, 2023

The Planning & Zoning Commission met on Wednesday, January 18, 2023 in Council Chambers. Chairman Brensinger called the meeting to order at 7:05pm and the Pledge of Allegiance was recited.

Attendance: Chairman Darin Brensinger; Vice Chairman Paul Bedway; Members: Bill Knecht, Tim Wilhelm, Larry Dagna, Jonathan Kukta; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Visitors: Planning Consultant Kevin Richards, Brian Kobularcik – Villas of Orwigsburg.

Minutes:

A motion to approve the August 17, 2022 meeting minutes as presented was made by Bill Knecht, seconded Tim Wilhelm. Unanimous.

Public Comment

Brian Kobularcik – Villas of Orwigsburg, Rt 443

Land has been on the market for about 7 years – interested parties have run the numbers and determined it is not a doable project.

33 Townhomes in the development

Roads within the development will not be dedicated to the Borough

Brian distributed a comparison table for Equivalent Single Axel Load:

- The projected traffic levels for the Villas of Orwigsburg result in 80,000 ESALs for a 20-year life.
- Based on the boroughs current paving specification:
 - Wearing 1.5
 - Binder 2.5
 - Base 5.0
 - Aggregate 6
 - ESALs supported – 7,231,000
- For the pavement design using a CBR (California Bearing Ratio) of 5, which is a fair soil, the following results of some options.
 - Design #1 (minimum)
 - Wearing 1.5
 - Binder 0
 - Base 2.5
 - Aggregate 4
 - ESALs supported – 76,000
 - Design #2
 - Wearing 1.5

Binder 0
Base 3.5
Aggregate 6
ESALs supported – 360,000

- Design #2 is more typical for a public road. It has a thicker aggregate and base layer that will help to stand up to construction traffic and supports over four times the traffic that is needed.
- The current borough specification substantially exceeds the needed EASL design.
- Also addressed was the road width requirement of 36 feet.

Brian is requesting relief from the boroughs paving specifications and reduction in the road width.

The Commission agreed to take time and discuss Brian Kobularcik's requests at a future date.

Old Business

Zoning Ordinance Discussion items/ Updates sent to Borough Council – No Action taken.

Changes given to Council for June's meeting:

Add or modify definitions:

Building Coverage
Impervious Coverage
Impervious Surface

Significant updates to Accessory structures

Setbacks
Sizes
Heights

Update definitions for recreation

No action was taken; consensus of Council is to wait until the Commission completes all changes and updates and submits all recommendations; this action will save on advertising costs and require one public hearing.

Adaptive Re-Use – previously tabled; taken off the table and eliminate from proposed updates.

EDU Adjustment Policy – Tabled

Solar Energy Systems – Revisions to be discussed.

- Kevin's recommendation is to progress a portion of the zoning ordinance to encompass solar energy; surrounding municipalities have currently experienced proposed land development plans for solar fields with no ordinance to stand behind and had to review based on DEP guidelines.
- Three large parcels exist in the borough that could be suitable for a solar field.
- Determine how to regulate stormwater requirements for a solar field.
- If the municipality takes a stance that solar panels are impervious coverage towards stormwater calculations an NPDES permit will be required along with stormwater

detention facilities will need to be installed; this will make it less desirable than another municipality which says the base line requirement is if it's vegetated under the solar panel, it's not counted as impervious.

- Kevin is comfortable with the draft we have now; recommends that at the next planning meeting he will have a slightly modified draft after what is learned from surrounding municipalities solar submissions. There will be an overlap between zoning and a section added to the SALDO particularly on decommission of the system that could be tied to a Development Agreement usually found in SALDO tied to a Land Development Plan.
- Recommends Solicitor Datte review before recommendation is made.

Commission needs to determine where a solar field should be an allowable use, conditional use, or a special exception use:

Current draft proposes:

Accessory use: allowable in all districts

Principal use: allowable by Special Exception use in RE, RS and R1.

Bill Knecht has concerns with principal use in residential zone should go to ZHB – landowners adjacent need to have input and not just be acceptable through our ordinance.

Council needs to consider the large parcels that could be developed for residential which would generate taxes; borough would not benefit from a solar farm.

Define terms of the Special Exception to include visibility, setbacks, height, and location, for the Zoning Hearing Board.

- Commercial District – proposed draft is Conditional Use (conditions are applied by Planning Commission and Council)
- Industrial District – same as Commercial
- Commercial buildings exist in Residential zone, need to be define. Some commercial buildings could be considered Accessory Use.
- Principal System need to determine square footage of panel, mega wattage produced, Land Development, Stormwater Mgmt., Development agreement, Financial Security and agree to decommissioning requirements.
- Keep as special exception in Residential Districts
- Change to conditional use in Commercial and Industrial Districts
- Accessory system will be allowed in all districts. The definition for when it changes to a Principal System will be presented at the next P & Z meeting. Kevin will make slight revision based on discussions tonight and information he can obtain from other municipality and present at next month's meeting.

Topics to be Discussed

- Discuss EDU Adjustment Policy-
 - Borough does not currently have a policy on EDU reduction other than what is in the Zoning Ordinance

- Randy drafted a Water/Sewer Service Policy, and the draft was given to the Commission
- Disconnection form - change to EDU Reduction form
- Inspect to verify the cause of the extra EDU has been eliminated in order to grant EDU reduction
- Once EDU reduction is approved, to gain that EDU back, the owner will be required to pay Tapping Fees for each EDU requested
- Renting for prophet an additional EDU should be added – if becomes a US mail addressed property separate from the primary address an EDU would be added
- Currently setting up guidelines on how to bill multi units for EDU and what the costs should be
- Randy will make simple changes to the draft

Three EDU reduction requests have been received;

Bill Knecht – 204 S Warren St; requesting 1 unit reduction

David Rubright – 508 W Market St; (house vacant) requesting to be eliminated from utility billing, house to be acquired and scheduled for demolition

Richard Kriner – 221 S Walborn Ave; requesting 1-unit reduction

A motion to approve Bill Knecht request for reduction of 1 EDU was made by Larry Dagna, seconded by Paul Bedway. Bill Knecht abstained. Motion carried.

A motion to approve David Rubright's request for reduction of 1 EDU eliminating 508 W Market St from utility billing was made by Larry Dagna, seconded by Jonathan Kukta; Unanimous.

A motion to approve Richard Kriner's request for reduction of 1 EDU was made by Tim Wilhelm, seconded by Paul Bedway. Unanimous.

A letter was received from Charles Covelusky owner of 113-115 E Tammany St. Adjacent property 117 E Tammany St sewage is tied to 113-115 E Tammany St; at one time was one parcel until sub-divided. When fire happened at 117 E Tammany St Charles experienced sewer issues which accumulated a number of cost issues. Sewer lateral is not fully connected to the sewer main. Charles currently pays for 2 EDUs for 113-115 E Tammany St where Paper Pen Prayer Ministry Headquarters is located along with storage and is requesting relief on past utility bills.

Consensus of the Commission is to notify Charles Covelusky requesting he writes a letter to the Planning Commission requesting an EDU reduction.

A brief discussion was held on the borough's road paving specifications. Brian Kobularcik would need to re-submit plan with his figures for road paving.

- Comprehensive Plan – addendum
New 2023 updated goals – modify to meet what borough would like to accomplish

Updated pictures
Supplemental documents
Form a committee with 1 or 2 Commission members, Randy, and Kevin to evaluate and to make recommendations to the Planning Commission.

Remaining Topics (To be Discussed if Time Allows)

Stand Alone Ordinances

- Short term rentals – In Progress
- Other Stand- Alone Ordinances were not to be progressed

Vacancy – Randy reached out to Chuck Ricketts (not in attendance in over a year) and got no response. Have Council declare a vacancy.

A motion to adjourn at 9:17 pm was made by Larry Dagna, seconded by Jonathan Kukta.
Unanimous.

Respectfully submitted,

Sherry Edwards
Borough Secretary