

Planning and Zoning Commission - Sep 20 2023 Minutes

Wednesday, September 20, 2023 at 7:00 PM
Council Chambers

The Orwigsburg Planning and Zoning Commission met on Wednesday, September 20, 2023 in Council Chambers. Chairman Darin Brensinger called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

Attendance: Chairman Darin Brensinger; Vice Chairman Paul Bedway; Bill Knecht, Tim Wilhelm, Ben Hunter, Jonathan Kukta; Borough Manager Randy Miller; Borough Secretary Sarah Celani

Visitors: Planning Consultant Kevin Richards Alfred Benesch & Co; Chris Watts of Mid Penn Engineering, 2049 West Market Street, Lewisburg PA; Hayley Effler of Dimension Renewable Energy LLC, 337 Stanton Drive, Syracuse NY; Lynn Lickman of 52 Stanton Street, Schuylkill Haven

Absent: Larry Dagna

Agenda:

A motion to adopt the final meeting agenda was made by Tim Wilhelm, seconded by Bill Bandholz. Unanimous. The motion was carried.

Minutes:

A draft copy of the minutes from the February 15, 2023 Planning and Zoning meeting was provided to the commission for review and comment.

Paul Bedway motioned to adopt the final minutes from February 15, 2023; the motion was seconded by Tim Wilhelm. Unanimous. Motion carried.

Public Comments:

None

Old Business:

The Borough received a letter from Paper Pen Prayer Ministry International requesting that the number of EDUs be deducted at 113 and 115 East Tammany Street (same location) from

two EDUs to one. Usage is significantly lower than 5,000 gallons on a quarterly basis. The commission expresses concerns regarding changing the unit in the future back to two; Randy will draft a letter so that any movement in the future of adding a unit or subdividing the unit would require reconnection and tapping fees be paid. Randy noted that after discussing with multiple other residents the reconnection and tapping fees associated with a reduction in EDUs, they had withdrawn requests for reductions.

Paul Bedway motioned to reduce the EDUs from two EDUs to one at 113 and 115 East Tammany Street and Ben Hunter seconded the motion. Unanimous. Motion Carried.

Business:

The Orwigsburg Zoning Hearing Board will convene Monday, October 23, 2023 at 6:00 pm in Council Chambers. Isles Cooper of Williamson, Friedberg, and Jones LLC has expressed a conflict of interest for the upcoming Zoning Hearing Board meeting in regards to the 725 West Market Street variance request. Christopher Reidlinger will step in place of Isles as the attorney for the meeting. This meeting is to also cover the special exception application for a solar farm on Market Street. The Planning Commission may provide the Zoning Hearing Board with recommendations and input on zoning and use for special exception applications received by the Borough.

The Orwigsburg CSG 1, LLC

The Orwigsburg CSG 1, LLC Zoning Hearing Board Application and Cover Letter, Site Plan, Glare Analysis, as well as ARRO's Denial Letter were provided to the Commission for review and comment. Randy noted that the difference in property tax would be minimal, and that the Borough does not have rights or privileges for taxing in any other method on this kind of development. Bill Knecht stated that the development is not directly in the storm drainage problem area behind the service station. The Commission discussed that the access point may be a small, unnamed paper street/alleyway leading to the site and may disturb the surrounding property owners and neighbors; however, access to the site may be minimal times per year. It is the applicant's responsibility to prove there is an access point to the site.

The Planning Commission recommended that the Zoning Hearing Board discusses and evaluates the effects the proposed project may have on the surround property owners and community with special attention to the following items:

1. Buffer requirements per Section 10.40.C9.f of the Zoning Ordinance
 - a. Chris Watts commented that the buffering requirements would be deemed at the land development stage at the discretion of the Borough. Hayley Effler of

337 Stanton Drive, Syracuse NY added that the panel footprint is essentially locked in (limited to the number of panels/megawatts allowable in Pennsylvania) but the layout is subject to micro-siting efforts.

2. Access requirements to the proposed parcel as referenced in Section 13.06.B.2.c(1) of the Zoning Ordinance.
 - a. Randy mentioned that the Borough does not have rights to the streets listed as the access point on the plans that have been submitted to the Borough. Chris stated that they have pulled deeds and began research for access point alternatives and opportunities. Hayley added that after construction, access would only be necessary two-three times per year for basic site maintenance like mowing. They will have remote access to the land and site for monitoring. The applicants have now confirmed the planned access point is a private lane or unnamed alley, and they plan to pursue other options or negotiate with surrounding property owners.
3. Stormwater requirements per Section 10.40.C.9.e of the Zoning Ordinance
 - a. Kevin commented that the project must meet the stormwater release rate requirements set forth in the stormwater ordinance. Chris informed the Commission that they plan to obtain an NPDES permit before construction of the project in order to meet stormwater requirements. He proposed that a meadow mix of vegetation will improve stormwater runoff conditions.

Bill Knecht mentioned that the Zoning Hearing Board will approve, deny or condition a use approval to proceed with the plan. If the plan proceeds; land development plan will follow and the Commission will meet again regarding the matter. Randy Miller requested a motion be made so that he may present The Planning and Zoning Commission's recommendations and concerns before the Zoning Hearing Board.

Bill Knecht moved to approve the list of qualified exceptions for the Solar Energy submittal and forward them to the Zoning Hearing Board; buffering, access, and stormwater. The motion was seconded by Tim Wilhelm. Unanimous. The motion was carried.

725 West Market Street

The building had a dog grooming salon and an apartment that was damaged by a fire. Kevin Kraft repaired the building and changed it to four apartments without a zoning permit. Shannon Darker of ARRO issued a notice of violation for zoning. Kevin has since submitted two applications for zoning permits denied by ARRO and is now seeking a Variance request for the use of apartments in the building. Randy informed that in addition to the zoning permit, code approval, and occupancy permits must be issued in order to keep the structure. The

Commission expressed concerns for the structure as it is closed/drywalled, inspections were not completed, and permits were not obtained.

Blue Mountain Village

Previous submittal introduced December 2020. Stormwater management disconnect - NPDES permit was denied in 2008 and resubmitted/denied again later. New development plans to come in the next few weeks. HOP is being acquired from PennDOT - inclusive of deceleration and turning lanes. Sewer and water extensions to be installed by developer at developers cost in the name of the Borough. The Borough will have to sign off on the HOP.

Fire Department Land Development

Land development plans to purchase an apartment next door and propose a lot annexation to move the property line, create a parking area in the rear, and fix the fire house. Although the lot is Impervious at this time - zoning issues may arise. May have to prove adequate parking in the lot; not to intervene with surrounding apartments and buildings.

Playground on Ridge Road

Expected to break ground in spring 2024, specifications and bids will be opened up. Grants are to be used for construction of the playground. Phase 1 - playground parking area, pedestrian sidewalk and rain guard. Means of crossing the culvert must be installed as an 'elevated pedestrian sidewalk' on the side of the culvert. Additional grant submittal for Phase 2 - pavilion and pickle-ball court.

Speed Limit

Borough to pursue enforcing a borough-wide speed limit of 25 mph.

Adjournment

A motion to adjourn the meeting at 8:38 pm by Tim Wilhelm, seconded by Bill Bandholz.

Respectfully Submitted,

Sarah L Celani
Borough Secretary