

Planning and Zoning Commission - Mar 20 2024 Minutes

Wednesday, March 20, 2024 at 7:00 PM

Council Chambers

The Orwigsburg Planning and Zoning Commission met on Wednesday, March 20, 2024 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; Ben Hunter; Borough Manager Randy Miller; Borough Secretary Sarah Celani

Absent: Larry Dagna; Tim Wilhelm; Jonathan Kukta

Visitors: Planning Consultant Kevin Richards of Alfred Benesch & Co; Chris Watts of Mid Penn Engineering

Agenda:

A motion to adopt the final meeting agenda was made by Ben Hunter, seconded by Paul Bedway. Unanimous. The motion was carried.

Minutes:

A draft copy of the minutes from the February 21, 2024 Planning and Zoning meeting was provided to the Commission for review and comment.

Bill Knecht asked about the number of pets allowed and exotic animals section in regard to the ordinance, Kevin clarified that the number of pets allowed was removed from the curative amendment in its entirety.

Bill Knecht motioned to adopt the final minutes from February 21, 2024. The motion was seconded by Paul Bedway. Unanimous. Motion carried.

Public Comments:

None.

Business:

Blue Mountain Village Land Development Plan

Extension approved by Council until May 9, 2024. Highway Occupancy Permit plans were resubmitted and PennDOT comments received. No further correspondence was received. If no plans are resubmitted by the May 8 Council meeting, the plan will be denied. Randy to meet with Blue Mountain Village representatives in April prior to the next Commission meeting.

The traffic study for the current project in West Brunswick Township was received for review. The study did not include a peak hour volume study for any areas into the Borough. A Tri-State Traffic Study quote was received and approved by Borough Council last week. The study is inclusive of Directional Turning Movement Counts at Brick Hill Road and Breezy Acres Road, East Market and Lawrence Streets, and East Market and Washington Streets. A speed limit reduction within Borough limits is being considered.

Paul Bedway expressed concerns that in early stages of development, the small number of residents that move in during the first phase will not be able to afford maintenance of roadways and systems throughout the entire development. Randy responded that the development will happen in Phases; not all roads, pavements, and systems will be in place right away.

Darin Brensinger asked if two entrances were required for design and development. Kevin responded no, as long as you can enter and turn around. Randy explained that there seems to be an entrance from Route 61 to the West Brunswick development on their plans. Kevin added that this part would be completed in the later stages of development.

Friendship Hose Fire Company No. 1

Extension approved by Council until June 17, 2024. Kevin met with the engineers earlier in the day. Some variances will be necessary. Zoning Hearing Board application and revised plans underway. Stormwater comments and waivers may be addressed.

Curative Amendment Zoning Ordinance

Curative Amendment for Livestock approved by Borough Council on March 13, 2024 and revised to remove quantity of pets.

Discussion:

Orwigsburg CSG 1, LLC Solar Farm, Special Exception Application

Chris Watts - Mid Penn Engineering

The Zoning Hearing Board approved a special exception use approval with a conditional restriction of the access road remaining unchanged. A revised version of the plan shows changes in the access road. A resubmittal to the Zoning Hearing Board for special exception use approval was provided.

Darin Brensinger inquired about how to handle the access road and its crossing over of parcels. Chris Watts responded that an access easement will be created between ELP Properties and BLQ Properties. Ben Hunter added that the easement will be deeded with the property if it were to be sold in the future. Chris commented that the access would only be used for maintenance a few times per year.

Chris clarified some areas of the map that were not clearly seen on his demonstration. Red lines are representative of property lines. It was discussed that the access easement would have to allow access to the state route right of way and may apply to multiple parcels of the same ownership group.

Kevin Richards asked if the gas station property where the access route leads had any existing HOP permits - he suggested that Chris look at PennDOT PA One Map for any existing HOP research. Chris concluded that a new use would probably require a new HOP anyway. Kevin believes that with minimum use, an existing permit could possibly be sufficient.

Darin Brensinger questioned if there would be any noise nuisances coming from the development. Chris explained that the noise impact would be little-to-none because of the fixed tilt. Transformers and inverters in the middle of the array are the only things emitting sound and will be far enough from any occupied property to be heard.

The Commission previously recommended the Zoning Hearing Board evaluate effects on the surrounding property owners and community with special attention being given to the following items:

1. Buffer requirements per Section 10.40.C.9.f of the Zoning Ordinance
2. Access requirements to proposed parcel as referenced in Section 13.06.B.2.c(1) with specific attention to easements and future HOP approvals
3. Stormwater requirements per Section 10.40.C.9.e of the Zoning Ordinance

Paul Bedway motioned to recommend the Zoning Hearing Board discuss and evaluate the proposed project with specific attention to offsite permanent access easements and future HOP approval. The motion was seconded by Ben Hunter and carried unanimously.

Randy Lindenmuth Comments

Randy Lindemuth drafted a letter requesting a status update, concerns, and opinions on Blue Mountain Village. Kevin Richards summarized the letter and discussed many comments that are still pending and need to be discussed with developers. The letter addresses the “no left turn” out of Breezy Acres Road, but HOP plans show removal of the berm and Kevin is unsure if sight distance requirements would be met. Concerns for utility servicing were expressed in Randy Lindenmuth’s comment letter as well as Homeowners’ Association and control of Council. Kevin and Paul agree that a Homeowners’ Association is necessary for some aspects of the development such as sidewalks, snow removal, mowing, and common space maintenance. The Commission discussed the outcome of a failed Homeowners’ Association and the Borough’s responsibility for undertaking the systems. Ben Hunter recommends that Randy Lindenmuth’s letter be forwarded to the entire Commission for comment and review.

Paul Bedway discussed how the plan has changed over the years and that the original plan was for a retirement village.

Kevin concluded that the current plan has not received any approvals, conditional or otherwise. Borough council did approve three waiver requests:

1. Section 501.B.2(e): provide existing topo 50 ft from the project site in lieu of 200 ft
2. SWM Ordinance Section 3.5.B.4: provide existing topo 50 ft from the project site in lieu of 500 ft
3. SALDO Section 303: allow review of plan as Preliminary/Final per Settlement Agreement.

Future Plans:Cutshaw Land Development Plan

Engineers will submit a sketch plan to be discussed at the April Planning and Zoning Meeting. 60x100 square ft building at intersection of West Tammany and North Liberty.

Tony’s Meats

Engineers will submit a sketch plan to be discussed at the April Planning and Zoning Meeting. Potential layout on the vacant pad lot next to Dollar General. The plan is proposing three separate commercial buildings on the same parcel. Kevin commented one principal use per lot. Possibility for a strip mall or something of that nature. The driveway is already permitted.

Sewer easement on the rear of the property. Potential stormwater issues. 36 ft wide easement extends to the property line with a note referencing “for potential future access” to the UPI. Currently owned by Fanelli - agreement of sale or preliminary document is allowing the project to move forward at this time. Randy asked if the completed padwork included stormwater. The engineer contacted the Conservation District. E&S plan exists and a grading permit had been submitted to the Borough. Kevin clarified that the permit and stormwater design must show the existing condition as a grass field.

Unfinished Business:

None.

Adjournment:

The next Planning and Zoning Meeting is scheduled for Wednesday, April 17, 2024 at 7:00 pm in Council Chambers.

A motion to adjourn the meeting at 8:27 pm was made by Paul Bedway and seconded by Ben Hunter.

Respectfully Submitted,



Sarah L Celani
Borough Secretary