

Planning & Zoning Commission
Meeting Minutes
April 19, 2017

The Planning & Zoning Commission met on Wednesday, April 19, 2017 in Council Chambers. Chairman Darin Brensinger called the meeting to order at 7:30 pm and the Pledge of Allegiance was recited.

Attendance: Chairman Darin Brensinger; Vice Chairman Paul Bedway. Members Chuck Rickets, Kay Jones, Larry Dagna and Tom O'Brien. Solicitor Paul Datte; Planning Consultants Chris Bentz and Greg Stewart via phone. Borough Manager Bob Williams and Borough Secretary Sherry Edwards.

Visitors: Bill Knecht of 204 S Warren St; Darrell Kunkel of 1010 E Market St; Brian Baldwin of 200 S Liberty St.

Minutes

A motion to approve the October 19, 2016 meeting minutes as presented was made by Paul Bedway, second by Larry Dagna. Unanimous.

Public Comment:

Darrell Kunkel addressed the issue of the restaurant at 1100 E Market St being a non-conforming use in the residential district and what path they would have to follow in order to expand. Solicitor Datte noted the ordinance has provisions on permitted expansions for non-conforming uses

Darrell asked about the path for the liquor license

Solicitor Datte told him he would need to contact the Liquor Control Board

Darrell is concerned the previous owner maxed out the building footprint – the gross floor area being occupied by non-conforming use - site triangle is not being enforced, cars are parked within

Solicitor Datte – 50% of the gross floor area occupied by non-conforming use that is the limitation on alteration or expansion, if the porch is part of the original structure then it's part of the gross floor area occupied by the non-conforming use and advises the board not to amend. Clear site triangle relates to natural features – some structures and properties have been around for many years and predates the Zoning Ordinance are not regulated by the ordinance.

Introductions:

New member – Larry Dagna

New Planning Consultant – Chris Bentz of Alfred Benesch

Solicitor Paul Datte – first time participating at a P & Z meeting

Old Business

Update Comprehensive Plan Project

Kay Jones gave an update on preparations for the fall survey:

Campaign using Table tents and coasters that contain three questions – and check off if resident or visitor:

- What makes Orwigsburg great
- What is missing
- What needs to be improved

Coasters and tents will be located at:

- Brickhouse
- Valentes
- Market St Coffee Shop
- 419 Café
- Inn at Orwigsburg
- Mustard Seed

Also will be available at OBPA events and the Memorial Day Parade

Already spoke to four groups, Council and the Business Association

Still need to determine how to distribute the survey in the fall

Complaints so far:

Sidewalks

Lighting

Garbage cans out front

Bob mention there were 16 trees planted today to replace trees that were removed due to the S Warren St/S Wayne street project. Trees were professionally selected by retired Forester and resident Frank Snyder. A group of volunteers planted them and the group along with Frank plans on compiling a list of certain kinds of trees for sidewalk planting and other areas.

Brian Baldwin mention there is a list of trees in SALDO, should take a look at for updating.
Section 11.04 pg. 116

Ordinance Update

Commission received a copy of the Zoning Ordinance and SALDO with highlighted amendments.

Greg Stewart reviewed the following:

All yellow highlighted were previously approved by P & Z last year – forwarded to the Zoning Officer and the Solicitor for review

The only provisions that need attention and are not highlighted:

Tiny Homes

Architectural and aesthetic requirements

Council has not acted on the amendments to date, waiting for the Blue Mountain Retirement Appeal to be resolved to see if any additional suggestions would be provided from the findings. Everything identified with the appeal is included in these changes.

Solicitor Datte addressed architectural requirements:

- Limitations under MPC (Municipalities Planning Code) as to what you can and cannot do
- No blanket prohibition against establishing some type of architectural or aesthetics requirements
- Very clearly and definitely has to relate to preservation of health safety morals general welfare of the people
- Tough to dictate façades, roofs, colors textures in any commercial district or any district, need to relate to a specific planning goal
- Historic preservation, maintain history of structure is a planning goal
- Create an overlay district – identifies for example the square, to maintain the integrity of the buildings located on the square – for any new construction or significant alterations or repairs on existing buildings establish criteria.
- Create overlay district that identifies geographically what the overlay district applies to
- Explained to the commission the process Fleetwood Borough went through creating an overlay district
- Trash can pick up will be addressed in the trash contract expiring at the end of the year
- He suggests don't just limit to zoning take a look at what's in the best interest of the downtown area as far as historic preservation – obtain input from Council first and also research municipalities with overly district.

Darrell Kunkel suggested driveway distance should be at least 10 feet from property line.

Greg Stewart currently distance is 3 feet. General consensus of the commission is to leave as is.

Darrell Kunkel questioned the existence of flag lots.

Brian Baldwin noted you can't create land locked lots but there are some that exist

Tiny House - Solicitor Datte recommends changing the recreational vehicle definition to include tiny home. To be regulated as a recreational vehicle.

Parking lot isle width – add to Section 10.07 – 24ft isle width

A motion to recommend to Borough Council the specific changes to the Zoning Ordinance and SALDO as reviewed at tonight's meeting was made by Kay Jones, second by Larry Dagna.

Unanimous.

There being no further business the meeting was adjourned at 9:25 pm on a motion made by Chuck Ricketts, second by Paul Bedway. Unanimous.

Respectfully submitted

Sherry M. Edwards
Borough Secretary