

**MINUTES  
ZONING & SUBDIVISION REVIEW COMMITTEE**

**Tuesday – June 19, 2007 – 7:30 p.m. – MCRPC Offices**

**MEMBERS PRESENT**

Sam Scott, Chairman  
Larry McAdams  
Chuck Garrett  
Clifford McCandless  
Ron Faull  
James Hughes  
Patty McAdams

**OTHERS PRESENT**

Lisa Holm Schrader, Planner  
Peggy Heldorfer, Associate Planner  
Tim Coulter, Wilmington Township  
Jenifer Weaver, Deerfield Farms Service, Inc.  
Greg Ross  
Kali Ross  
Alexis Bish  
Rita Morgan

Mr. Scott, Chairman, called the meeting to order at 7:30 p.m. **A quorum was present.** Mr. Scott noted that the Minutes of the May 15, 2007 meeting were mailed prior to tonight's meeting and there being no additions, corrections, or deletions, the Minutes stand approved as mailed.

**NEW BUSINESS**

1. Modification Request – 4:1 – Ross Subdivision – Pine Township – Mrs. Heldorfer explained that we received a request for a modification to Article IV, Section 403.3, Lot Requirements, which states that the depth of the lot shall not exceed four times the width. She noted that Lot #2 does not meet this requirement. She noted that this subdivision is located on North Broad Street and is a very long narrow lot. The lot currently is nonconforming. The property owner would like to subdivide the front off and grant a 50' right-of-way access across Lot #1 to Lot #2. Mrs. Heldorfer explained that the property owner will be creating another nonconforming lot by subdividing the property, therefore the reason why the property owner is seeking a modification. The floor was open for comments.

In discussion, Mr. McCandless questioned if this was one lot. Mrs. Heldorfer explained that currently this is one lot with a two story frame house, and they would be creating a second lot. Mr. Garrett questioned if there was any other access other than the 50' right-of-way that would be created. Mrs. Heldorfer stated there is no other access to the back property. Mr. Faull asked how big Lot 1 is. Mrs. Heldorfer stated that Lot 1 is .64 acres and Lot 2 is 10.03 acres. Mr. Hughes asked if Lot 2 has wetlands, forested, etc. It was noted that it is half wooded and some has been plowed. There are no wetlands, and the property is fairly flat. The intentions for this lot would be to build a house on Lot 2. It was also noted that a family member lives in the two story frame house on Lot 1. After discussion, a motion was made by Mr. McCandless and seconded by Mr. Faull to recommend approval of the modification request for the Ross Subdivision. The motion passed unanimously.

2. Zoning Ordinance Text & Map Amendments – Wilmington Township – Ms. Holm Schrader explained that Wilmington Township has requested both a text and a map amendment to their zoning ordinance. The first request is a map amendment to rezone a section of the "R-2" Multi-Family Residential District to "B-I" Business-Industrial District. The map amendment site location is basically the block of property surrounding the municipal building, the proposed fire department, and two residences including some open area. The proposal would allow this property to be subdivided and allow for additional agricultural business in the area.

The second request is a text amendment that would allow for relief from some of the height restrictions for non human occupancy spaces. This would include barns, silos, machine sheds, cribs, bins and other structures not used for human occupancy. Ms. Holm Schrader explained that the existing zoning

ordinance does not include this, but the previous zoning ordinance did. These provisions would be added back into the ordinance from a prior Wilmington Township Zoning Ordinance. Wilmington Township felt that this was necessary since it has been their practice to allow such uses provided there is no enclosed human space higher than the local fire department equipment can reach. The floor was open for discussion.

In discussion, the permitted uses for each district were noted. Either use is compatible with the County Comprehensive Plan. Both the R-2 and B-I Districts are similar; the R-2 District permits multi-family dwellings, while the B-I District permits banks, retail, eating and drinking establishments, hotels, agribusiness, offices, and warehouses. Mr. McCandless questioned if there were any objections from the surrounding property owners. Mr. Garrett explained that the only concern he checked into was possibly noise coming from a dryer. It was noted that Wilmington Township will hold a public hearing regarding these amendments on Wednesday, July 18<sup>th</sup>.

After discussion, a motion was made by Mr. Faull and seconded by Mr. McAdams to recommend approval of the map amendment for Wilmington Township. The motion passed.

A motion was made by Mr. Garrett and seconded by Mr. McAdams to recommend approval of the text amendment for Wilmington Township. The motion passed.

3. Modification Request – Section 105.1 part 2 & 3 – Ms. Holm Schrader explained that we received a modification request in Pine Township for the Russell & Carole Dart Subdivision. The modification request is to consider this plan as a minor plan rather than a major plan. The minor subdivision was originally approved with three of four lots sharing a 50' wide access easement, while the fourth lot fronts on Gill Road in Pine Township, east of Grove City Borough. The original 4 lot subdivision included public sewer and water to the south of the lots with access over an existing private access easement to the north of these properties. At this point, they would like to subdivide the easement to create a lot and add a cul-de-sac at the end to complete the road. The floor was open for discussion.

In discussion, Mr. Garrett questioned if the lot is actually the road and cul-de-sac. Ms. Holm Schrader stated yes; the new subdivision is the road with the cul-de-sac and a minor change to Lot #4 in order to meet the proposed cul-de-sac right-of-way. This subdivision would create a lot for the purpose of dedicating a street to Pine Township. Mr. McAdams questioned if the remaining land is owned by Russell and Carole Dart. Ms. Holm Schrader stated yes. Mr. McCandless questioned if the road would have to be approved by Pine Township. Ms. Holm Schrader stated that a substantial amount of the road has been put in and that Pine Township would need to test the construction and have it certified by an engineer prior to considering accepting the road.

Ms. Holm Schrader noted that this modification request is to consider this plan as a minor plan rather than a major plan. She noted that major subdivisions consist of any plan which includes a road or extension of public infrastructure. Also, major plans require construction details and storm water management for the development sealed by an engineer. Ms. Holm Schrader explained that we have not received the subdivision, the property owner is seeking the modification prior to submitting a subdivision; therefore Pine Township is not aware of this subdivision. Pine Township Supervisors are not required to take this over, until it meets their approval, if they decide to take this over. It was noted that neither the property owner nor the engineer was present to answer any questions.

After further discussion, a motion was made by Mr. McCandless and seconded by Mr. Garrett to recommend denying the modification request to review the proposed subdivision as a minor plan rather than a major plan in Pine Township. The reason for denial is due to creating a lot which includes a street when a minor plan would lack the construction details and other information needed to review a street and creating a separate lot which would not meet the lot requirements. The motion passed.

## **OTHER BUSINESS**

1. Gabany Discussion – Ms. Holm Schrader explained that the Gabany Subdivision is called Neshannock Ridge Subdivision in East Lackawannock Township. The subdivision was originally submitted in February 2006 by Ron Bittler, Surveyor. This subdivision is a major plan and is still incomplete because the storm water management for the site cannot be approved based on the information that has been provided to the Conservation District. The Township Engineer also reviewed this major subdivision plan for the sewer and water on behalf of the Township. She noted that a letter needs to be written to Mr. Bittler and Mr. Gabany stating that MCRPC intends to hire an engineer to review this plan or that Mr. Gabany may need to hire another engineer to do the storm water management since it has not been done to satisfy our ordinance. She noted that if Mr. Gabany does not want to hire an engineer to complete this work, then MCRPC will hire an engineer to do the review of the storm water management as presented to date. She noted that in the letter to Mr. Bittler it will state the need to obtain a bond sufficient to hire an engineer to review the storm water management. Ms. Holm Schrader explained that by the County ordinance, engineering review fees must be covered by the developer. It was noted that we need to get the bond before MCRPC can hire an engineer or spend any money for the review.

A motion was made by Mr. Hughes and seconded by Mr. McCandless that we get a bond before we retain an engineer on our behalf. The motion passed.

2. Proposed Fee Schedule – Ms. Holm Schrader explained that we discussed an increase in subdivision fees at the May Commission meeting. She also noted that she went to the Mercer County Commissioners and discussed the proposed increase. Some of the questions they asked were: is it in line with other communities and are the fees appropriate in order to cover the cost of staff time and overhead. Ms. Holm Schrader explained that the fees are in line with other surrounding communities and the proposed increase would cover closer to costs of staff time and overhead. The Mercer County Commissioners asked that we have the Zoning and Subdivision Review Committee review this proposed fee schedule again since there was a slight change to the proposed fee schedule that was recommended and approved at the May Commission meeting. Mr. Gracenin and Ms. Holm Schrader prepared a proposed fee schedule comparing a \$250.00 base fee or \$300.00 base fee. She noted that a proposal was requested by the Mercer County Commissioners this morning and it included the \$300.00 base fee.

In discussion, the Committee reviewed the proposed fee schedule based on other surrounding County fees and the service that the Commission provides. It was noted that the number of subdivisions submitted changes each year, which makes it difficult to determine if it would cover all of the costs. Ms. Holm Schrader noted that we would be in line with what other municipalities are charging. She stated that the increase in subdivision fees would not affect the taxpayer, only the individual needing the service for their personal property. After discussion, a motion was made by Mr. Hughes and seconded by Mr. McAdams to recommend approval of the \$300.00 base fee schedule. The motion passed.

## **ADJOURNMENT**

There being no further business to conduct, the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Lisa Holm Schrader,  
Planner

LHS/ew