

**REORGANIZATION MEETING MINUTES  
JANUARY 15, 2015**

The annual reorganization meeting of the Eldred Township Planning Commission was held on January 15, 2015 at 7:30 p.m. in the Eldred Township Municipal Building.

**In Attendance:** Helen Mackes, Charles Phillips, Carey Krum, Robert Boileau, Kevin Silliman and Archie Craig, members; Daniel Lyons, solicitor; Chad Peters, engineer; Dawn Barankovich, recording secretary.

**In Absentia:** Philip Marano

**Meeting Called To Order**

Temporary Chairperson, Helen Mackes called the meeting to order at 7:30 p.m.

**Appointments**

**Temporary Chairman:** Helen Mackes was appointed Temporary Chairman by Charles Phillip second by Archie Craig.

**Chairman:** Motion for Helen Mackes by Charles Phillip, second by Archie Craig. The motion carries.

**Vice-Chairman:** Motion for Philip Marano by Charles Phillip, second by Kevin Silliman. The motion carries.

**Secretary:** Motion for Charles Phillips by Helen Mackes, second by Carey Krum. The motion carries.

**Meeting Dates and Times:** Planning Commission Meeting will continue to be held on the third Thursday of the month at 7:30 p.m. in the Eldred Township Municipal Building. Motion to approve: by Charles Phillip, second by Archie Craig. The motion carries.

**Adjournment:** Charles Phillips made a motion to adjourn the meeting, second motion by Robert Boileau, and the motion was unanimously approved at 7:35pm.

Respectfully Submitted,

Dawn Barankovich  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES**  
**January 15, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on January 15, 2015 at 7:30 p.m. at the Eldred Township Municipal Building.

**In Attendance:** Helen Mackes, Robert Boileau, Charles Phillips, Carey Krum, and Archie Craig, Kevin Silliman Members; Dawn Barankovich, Recording Secretary; Chad Peters, Engineer and Daniel Lyons, Solicitor.

**Not in attendance:** Phil Marano

**Also in attendance:** Shirley A. Krum, Robert Bush, Rudy Wolff and Supervisor, Mary Anne Clausen.

**Meeting Called To Order:** Chairperson Helen Mackes called the meeting to order at 7:30 p.m.

**Approval of December 18, 2014 Minutes:** A motion was made to approve the minutes by Carey Krum, seconded by Robert Boileau and carried.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** No new business.

**Old Business:**

**Minor Subdivision for Bruce N. & Wanda George**

Bruce N. & Wanda George, Owner. 843 Kuehner Drive Kunkletown, PA 18058. (Along both sides T-354 Upper 57 Road.) Surveyor: Rudolph Wolff, Keystone Consulting Engineers, Inc. Plan submitted 10/16/2014. Fees paid \$400 Township, \$35 Monroe County Planning. Expiration 1/16/2015. Extension Expiration 4/16/2015.

A 60 day Extension was approved by the supervisors on 1/7/2015. There were two outstanding comments 1) Sewage facilities planning 2) Restricted Covenant regarding access through a private access drive.

A motion is made to approve the planning waiver and the non-building declaration by Archie Craig, second by Charles Phillips. Chairperson Helen Mackes will sign. Motion carries.

Additional approval for the new language concerning the access drive being exclusive be reinserted into the plan and that the deed contains such language that be submitted to the Township Solicitor for approval. Helen Mackes makes a motion, second by Charles Phillips. Motion carries.

**Minor Subdivision for Kenneth Faust**

Kenneth Faust, Owner. 53+ Acre parcel North of Kunkletown Road (SR3004)

Surveyor: Kenneth R. Hahn, PLS. Plan submitted 9/18/2014.

Fees paid \$400 Township, \$35 Monroe County Planning. Expiration 12/18/14.

Due to requirements of the Supervisors re probe holes and perc tests, Mr. Faust was granted an extension for review of his plan until February 25, 2015. The plan was tabled with a motion by Mr. Krum, seconded by Mr. Phillips, and carried.

Motion to recommend rejection of the plan based on the outstanding comments of the November 12, 2014 letter from Hanover, subject to the applicant submitting the extension of waiver to the supervisors before their meeting on February 4, 2015. Motion by Archie Craig, second by Carey Krum and carried.

**Subdivision of Lands: Gower Estates, LLC.**

Ricky L. Gower, Owner. East of PA SR 3001 & South of Buckwha Creek

Surveyor: Robert G. Beers

9/29/08: Plan submitted 10/16/08: Fees paid \$400 Township. Plan expiration date 12/3/2014.

At the December 3 Supervisor's meeting, Mr. Gower was given an extension until May 31, 2015. The plan was tabled with a motion by Kevin Silliman, seconded by Helen Mackes and carried.

**Other:**

There was a discussion between Charles Phillips, Chad Peters, Helen Mackes and Daniel Lyons about agreement of sales for land/road development.

The State Ethics Commission Statement of Financial Interests form needs to be completed by the Planning Commission. Daniel Lyons said it is not necessary for them to complete the form because they are purely an advisory board. Dawn will consult with Sharon Solt and have a determination by the February 19<sup>th</sup> Planning Commission meeting.

**Public Comments:**

No Comments

**Adjournment:**

The meeting was adjourned at 8:00 p.m. with a motion by Helen Mackes, seconded by Charles Phillips, and carried.

**Respectfully submitted,**

**Dawn Barankovich  
Recording Secretary**

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES**  
**February 19, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on February 19, 2015 at 7:30 p.m. at the Eldred Township Municipal Building.

**In Attendance:** Helen Mackes, Kevin Silliman, Carey Krum, and Archie Craig, Members; Dawn Barankovich, Recording Secretary; and Daniel Lyons, Solicitor.

**Not in attendance:** Phil Marano, Robert Boileau, Charles Phillips, Chad Peters, Engineer

**Meeting Called To Order:** Chairperson Helen Mackes called the meeting to order at 7:30 p.m.

**Approval of January 15, 2015 Minutes:** A motion was made to approve the minutes by Archie Craig seconded by Carey Krum and carried.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** No new business.

**Old Business:**

**Minor Subdivision for Kenneth Faust**

Kenneth Faust, Owner. 53+ Acre parcel North of Kunkletown Road (SR3004)

Surveyor: Kenneth R. Hahn, PLS. Plan submitted 9/18/2014.

Fees paid \$400 Township, \$35 Monroe County Planning, \$540 Perc test.

At the Feb. 2015 Supervisor's meeting Mr. Faust was granted an extension exp. date 5/30/15.

No new business, motion to table was made by Kevin Silliman, seconded by Carey Krum and carried.

**Subdivision of Lands: Gower Estates, LLC.**

Ricky L. Gower, Owner. East of PA SR 3001 & South of Buckwha Creek

Surveyor: Robert G. Beers

9/29/08: Plan submitted 10/16/08: Fees paid \$400 Township. Plan expiration date 12/3/2014.

At the Dec. 2014 Supervisor's meeting, Mr. Gower was given an extension until May 31, 2015.

No new business, motion to table was made by Kevin Silliman, seconded by Carey Krum and carried.

**Other:**

Daniel Lyons explained that the handouts regarding the Chestnuthill Township Official Map Amendment-2015, that were received at this meeting, are to be reviewed and then discussed at the March meeting. It will be the only opportunity to make comments.

The State Ethics Commission Statement of Financial Interests form needs to be completed by the Planning Commission board and handed in to Sharon Solt.

**Public Comments:**

No Comments

**Adjournment:**

The meeting was adjourned at 7:38 p.m. with a motion by Archie Craig seconded by Kevin Silliman and carried.

**Respectfully submitted,**

**Dawn Barankovich  
Recording Secretary**

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES**  
**March 19, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on March 19, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Helen Mackes, Kevin Silliman, Phil Marano, Robert Boileau, Charles Phillips, Carey Krum, and Archie Craig, Members; Dawn Barankovich, Recording Secretary; Chad Peters, Engineer and Daniel Lyons, Solicitor.

**Meeting Called To Order:** Chairperson Helen Mackes called the meeting to order at 7:30 P.M.

**Approval of February 19, 2015 Minutes:** A motion was made to approve the minutes by Archie Craig, seconded by Kevin Silliman and carried.

**Public Comments Relating to the Agenda:** Correction to the Agenda noted by Daniel Lyons, we will be discussing all of the listed items related to the CJERP amendments.

**New Business:** No new business.

**Old Business:**

**Minor Subdivision for Kenneth Faust**

Kenneth Faust, Owner. 53+ Acre parcel North of Kunkletown Road (SR3004)  
Surveyor: Kenneth R. Hahn, PLS. Plan submitted 9/18/2014.  
Fees paid \$400 Township, \$35 Monroe County Planning, \$540 Perc test.  
At the Feb. 2015 Supervisor's meeting Mr. Faust was granted an extension exp. date 5/30/15.

A motion to approve the changes made to the waiver and plans was made by Robert Boileau, seconded by Kevin Silliman and carried.

**Subdivision of Lands: Gower Estates, LLC.**

Ricky L. Gower, Owner. East of PA SR 3001 & South of Buckwha Creek  
Surveyor: Robert G. Beers  
9/29/08: Plan submitted 10/16/08: Fees paid \$400 Township. Plan expiration date 12/3/2014.  
At the Dec. 2014 Supervisor's meeting, Mr. Gower was given an extension until May 31, 2015.

No new business, motion to table was made by Phil Marano, seconded by Carey Krum and carried.

**Other:** CJERP amendments items:

A motion was made to recommend approval of the reinstatement of the **CJERP Intergovernmental Cooperative Implementation Agreement**. The motion was made by Kevin Silliman, seconded by Carey Krum and carried.

A motion was made to recommend approval of the proposed amendments to **Chapter 2 of the Comprehensive Plan update**. The motion was made by Charles Phillips, seconded by Kevin Silliman and carried.

A motion was made to recommend approval of the proposed amendments to both the **Possible Zoning ordinance Amendment** and the **Possible SALDO Amendment** ordinances; noting that the parking demand table and the definitions in both ordinances are not compatible. The board should review this and make the appropriate amendments in the future. The motion was made by Robert Boileau, seconded by Kevin Silliman and carried.

A motion was made to suggest that the supervisors read and perhaps would like to institute a regulation for Eldred Township that would be similar to the **Palmyra Township ordinance regulating vacation homes**. The motion was made by Phil Marano, seconded by Charles Phillips and carried.

There are no comments for **The map of the CJERP Transportation Plan**, as it is considered as a part of the other amendments proposed.

**Public Comments:** Kenneth Faust thanked the Planning Board and Chad Peters for their help.

**Adjournment:**

The meeting was adjourned at 8:35 P.M. with a motion by Kevin Silliman second by Phil Marano and carried.

**Respectfully submitted,**

**Dawn Barankovich**  
**Recording Secretary**

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES  
APRIL 16, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on April 16, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Helen Mackes, Carey Krum, Robert Boileau, Kevin Silliman and Archie Craig, members; Daniel Lyons, solicitor; Darcy Gannon, Recording Secretary .

Also in attendance were residents Mary Anne Clausen and Shirley A. Krum.

**In Absentia:** Charles Phillips, Philip Marano

**Meeting Called To Order:** Chairperson Helen Mackes called the meeting to order at 7:30 p.m.

**Approval of March 19, 2015 Minutes:**

There was a question on the motion from the March 19 minutes regarding the CJERP Comprehensive Plan Update. Although the minutes stated that planners approved Chapter 2 of the Plan, the actual motion approved the plan in its entirety. A motion was made to revise the March minutes to reflect PC approval to the entire CJERP Comprehensive Plan Update. The motion was made by Mr. Craig, seconded by Mr. Krum and carried. The Township Supervisors and the CJERP group will be notified of this correction.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** No new business.

**Old Business:**

**Subdivision of Lands: Gower Estates, LLC.**

Ricky L. Gower, Owner. East of PA SR 3001 & South of Buckwha Creek  
Surveyor: Robert G. Beers

9/29/08: Plan submitted 10/16/08: Fees paid \$400 Township. Plan expiration date 12/3/2014.

At the Dec. 2014 Supervisor's meeting, Mr. Gower was given an extension until May 31, 2015.

The pending **Subdivision of Lands: Gower Estates, LLC** which was submitted in October of 2008 has an expiration date of May 31, 2015. The Planning Commission was required to recommend rejection of the plan due to the expiration date and the meeting schedule of Planners and Supervisors. The motion was made by Mr. Boileau, seconded by Mr. Silliman, and carried. Ms. Gannon will notify the Supervisors, Mr. Gower and Robert Beers as to this action.



**Other:** A letter was received from the Monroe County Planning Commission regarding the Zoning and SALDO amendments and the CJERP amendments. The MCPC reviewed the changes and have found them to be generally consistent with the Monroe County Comprehensive Plan.

**Adjournment:** The meeting was adjourned at 8:00 p.m. with a motion by Mr. Silliman, seconded by Mr. Krum and carried.

Respectfully Submitted,

Darcy L. Gannon  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES**  
**May 21, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on May 21, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Carey Krum, Robert Boileau, Kevin Silliman , Archie Craig, and Charles Phillips members; Daniel Lyons, solicitor; Darcy Gannon, Recording Secretary .

Also in attendance were residents Mary Anne Clausen, Shirley A. Krum, Herman Dodson, Frank and Marion O'Donnell, Vernon, Leon, and Marietta Barlieb, Michele Silliman, Kevin Miller, Doretta Smith, Traci Smith, Seth Todora, Brandon Keyes, Tyler Johnson.

**In Absentia:** Helen Mackes, Phil Marano

**Meeting Called To Order:** Charles Phillips called the meeting to order at 7:30 p.m.

**Approval of April 16, 2015 Minutes:** The minutes of the April 16, 2015 meeting were approved with a motion by Mr. Craig, seconded by Mr. Silliman, and carried.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** No new business.

**Old Business:**

**Kuehner Field Estates:** Mr. Herman Dodson was in attendance from Kuehner Field Estates. The original plan for this subdivision was submitted and approved in December of 2007. Mr. Dodson would like to make changes to the plan, most significantly reducing number of lots, removing lot lines to make larger lots, and removing the cul de sac. Most of the roads and other boundaries would remain the same. Mr. Dodson wondered if he could just adjust the lot lines, or, must he submit new plans? Attorney Lyons advised that significant changes to the lot lines would result in changes to the plan that would require a new submission.

Mr. Dodson mentioned that current lot owners could not obtain building permits for their parcels. This is due to the fact that required improvements have not yet been completed for the plan. Attorney Lyons suggested that Mr. Dodson consider submitting the plan in sections so that some progress could be made for existing lot owners. Mr. Dodson submitted a sketch plan of the property to be submitted to our engineer, Chad Peters.

**Gower Estates LLC:** The Gower Estates plan was rejected at the April 16 meeting due to the expiration date of the plan. The plan was originally submitted in 2008; a planner questioned the number of times that the Gower plan has been granted an extension. It may be a boundary line dispute that is still being resolved. Can Supervisors require that the plan be completed?

**Other:** No other business.

**Public Comments:** Mr. Vernon Barlieb was in attendance regarding the proposed water extraction process on the Rick Gower property. Mr. Gower is in negotiation with Deer Park Spring Water to harvest water from his property. Mr. Barlieb is concerned about the impact to resident's wells and truck traffic in town. Mr. Barlieb questioned the process of the zoning change that allowed the Gower property to be changed from industrial zoning to light manufacturing. He wanted to know how this change was implemented. At the March 20, 2014 planning commission meeting, Attorney James Wimmer was present with Mr. Gower. He pointed out that the proposed zoning change for the parcel in question was from "light manufacturing" to "industrial" use and that water extraction was not necessarily an industrial function. The planners did not disagree with his assessment, however, there was no official action taken on this request. Mr. Barlieb strongly objected to the recording Secretary's use of the word "concurred" in the minutes. The word was used to indicate general agreement among the planners, as there was no specific objection to the proposal. It should be noted that later in this same meeting, planners in a roll call vote unanimously rejected **any** zoning changes since the board felt that the revisions would have a negative impact on Eldred Township.

Mr. Barlieb went on to question why there was no paper trail of the change, who initiated and implemented the change, what happened at CJERP regional meeting, etc. It was explained that the Planning Commission is an advisory board only, the Township Supervisors are our governing body and enact changes to zoning and SALDO, and that they would best be able to provide that information.

**Adjournment:** The meeting was adjourned at 8:30 p.m. with a motion by Mr. Silliman, seconded by Mr. Boileau, and carried.

Respectfully Submitted,

Darcy L. Gannon  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

## PLANNING COMMISSION MINUTES

June 18, 2015

The monthly meeting of the Eldred Township Planning Commission was held on June 17, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Chairperson Helen Mackes, Carey Krum, Robert Boileau, Kevin Silliman , Archie Craig, and Charles Phillips members; Daniel Lyons, solicitor; Darcy Gannon, Recording Secretary .

**In Absentia:** Phil Marano

**Meeting Called To Order:** Helen Mackes called the meeting to order at 7:30 p.m.

**Approval of May 21, 2015 Minutes:** The minutes of the May 21, 2015 meeting were approved with a motion by Mr. Craig, seconded by Krum, and carried.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** No new business.

### **Old Business:**

**Kuehner Field Estates:** Engineer Chad Peters responded to the request by Herman Dodson to make changes to the original plan. Mr. Peters stated in an email:

“It is my opinion that the proposed modification to the plans as outlined in the drawing would require the plan to go through the planning process and require planning and supervisor review per the Subdivision and Land Development Ordinance. If the Developer has any questions or wishes to discuss this process I would be more than happy to speak with him. If you have any further questions or concerns please feel free to contact me.” A motion was made to notify Mr. Dodson as to the above information by Mr. Boileau, seconded by Mr. Silliman, carried.

**Gower Estates LLC:** The Gower Estates plan was granted an extension by the Supervisors until September 28, 2015. The plan was tabled with a motion by Mr. Boileau, seconded by Mr. Phillips, carried. Mr. Craig opposed the motion.

### **Recommendation to change Eldred Township Zoning Ordinance 303 as follows:**

Mr. Boileau made a motion to amend the definition of water extraction and bottling in subchapter 303 of the Eldred Township Zoning Ordinance as follows:

“Water Extraction/Bottling: Any use which involves the pumping or removal of water from groundwater sources, with or without bottling, for retail or wholesale sale, should be considered *industry* for the purposes of regulation by this ordinance.” The motion was seconded by Mr. Craig and carried.

**Other:**

**Public Comments:** There were a number of public comments from residents in attendance regarding the proposed Deer Park water extraction project on the Gower property. A representative of the project invited the public to a meeting at the Kunkletown Fire House to be held on July 22.

Key points from citizens regarding the water project were:

- Truck traffic
  - Are the roads and bridges designed to carry weight and volume of trucks?
- Noise from a 24/7 operation
- No Eldred jobs would be created
- Will resident's wells be negatively affected? Will Nestle/Deer Park guarantee well protection?
- What will happen in drought conditions?
- Flow of the Buckhwa creek
- Other areas in US negatively affected by Nestles

**Adjournment:** The meeting was adjourned at 9:30 p.m. with a motion by Mr. Phillips, seconded by Mr. Krum, and carried.

Respectfully Submitted,

Darcy L. Gannon  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

**PLANNING COMMISSION MINUTES**  
**July 16, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on July 16, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Chairperson Helen Mackes, Carey Krum, Robert Boileau, Kevin Silliman , Archie Craig, and Charles Phillips members; Daniel Lyons, solicitor; Darcy Gannon, Recording Secretary .

**In Absentia:** Phil Marano

**Meeting Called To Order:** Helen Mackes called the meeting to order at 7:30 p.m.

**Approval of June 18, 2015 Minutes:** The minutes of the June 18, 2015 meeting were tabled. Mr. Boileau felt that key points were missing from public comment discussions at the June meeting and would like them added. The recording secretary agreed to add key points and will resubmit the minutes for approval at the August meeting. The motion was made by Mr. Boileau, seconded by Mr. Krum, and carried.

**Public Comments Relating to the Agenda:**

Vernon Barlieb questioned why the Gower Estates property has been granted extensions since 2008. Attorney Lyons responded that the extensions are granted by the property owner to the Township, and that the Supervisors can set the time frame.

Mr. Craig discussed Township naming of roads, Mr. Hoffman responded re the 911 responsibility toward road naming.

Mr. O'Donnell suggested a standard time limit on plan approval; Attorney Lyons agreed that an objective standard for all plans may be a good idea. Perhaps the Planning Commission members could recommend that plans be approved in a timely fashion.

Vernon Barlieb questioned why Planning Commission meetings are dominated by the solicitor.

Mr. Boileau commented that there appeared to be no official policies or procedures in place in Eldred Township.

Megan Leblond asked if the Planning Commission can put together a recommendation to supervisors to set firmer time frames.

**New Business:** No new business.

## **Old Business:**

**Gower Estates LLC:** The Gower Estates plan was granted an extension by the Supervisors until September 28, 2015. The Planning Commission members took no action on the plan.

## **Other:**

Mr. Boileau presented a series of dates pertaining to the zoning change:

February 24, 2014 –

Eldred Township Zoning Ordinance was created by Carson Helfrich Reference “Draft March 2014”. Water Extraction/Bottling would be considered Industry.

March 21, 2014 –

Wimmer emails letter to Carson Helfrich requesting a Zoning Ordinance Change.

March 24, 2014 –

C. Helfrich forwards Wimmer letter to Sharon Solt.

March 27, 2014

“Draft March 2014” was to be voted on. No vote. Ross was not ready. Postponed vote to May 1, 2014.

If Ross was ready to vote, Water Extraction/Bottling would have remained in "Industry".

March 28, 2014

Email from Darcy Gannon – Notifying email list of the 3/27/14 meeting and that the vote had been postponed to May 1st. It was mentioned that the proposed Eldred

Zoning Ordinance was available for review at the Township Building or via the Eldred Township Website. The website linked to the “Draft March

2014”. In this document “Bottling” is considered Industry.

March 31, 2014

Email from Sharon Solt with the “newly revised ordinances” attached that was received from C. Helfrich. This document remained titled – Draft March 2014.

Ordinance had been changed – Water Extraction/Bottling is now considered manufacturing, light.

### **QUESTIONS:**

7 days from Wimmer’s letter and 4 days after C. Helfrich emailed the revised document to Sharon Solt – the Ordinance was changed. How did Carson know to change the Ordinance? What is the procedure for changing a Zoning Ordinance draft once that draft is made public? Are these procedures written?

Ambiguities within the Ordinance:

First – Definition:

Manufacturing, Light - Facilities involving generally unobtrusive processes carried on entirely within a fully enclosed building. .... Pumping and truck loading are not in an enclosed building.

Second – Descriptions:

Under “Commercial” – Special Exceptions - it lists 27 items such as: Amusement arcades, Bus stations, Car and truck washes, Colleges, Dormitories. . .

26 of the 27 items are easily understood - you can draw a picture of the item. What exactly is manufacturing, light?

Discussion on PC authority to pursue legal action against Attorney Wimmer due to his wording of the letter sent to Carson Helfrich re zoning changes. Should the PC members write a letter to the Supervisors protesting the letter? Mr. Phillips recommended that members and individual citizens send a protest letter to the Supervisors, signed and notarized, and published in newspapers.

Mr. Silliman proposed recommending to the Supervisors that they schedule an evening public meeting to discuss the amendment of Eldred Township Ordinance #303 regarding water extraction and zoning change. The motion was seconded by Mr. Boileau and carried.

It was noted by Attorney Lyons that there has not yet been any official submission regarding a development plan for the Deer Park Chestnut Springs project.

The meeting was adjourned at 9:10 p.m. with a motion by Mr. Craig, seconded by Mr. Phillips, and carried.

**Other:** No other business.

**Public Comments:**

**Adjournment:** The meeting was adjourned at 9:30 p.m. with a motion by Mr. Craig, seconded by Mr. Phillips, and carried.

Respectfully Submitted,

Darcy L. Gannon  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.



**PLANNING COMMISSION MINUTES**  
**August 20, 2015**

The monthly meeting of the Eldred Township Planning Commission was held on August 20, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

**In Attendance:** Chairman Helen Mackes, Robert Boileau, Archie Craig, and Charles Phillips members; Daniel Lyons, solicitor; Darcy Gannon, Recording Secretary .

**In Absentia:** Phil Marano, Carey Krum, Kevin Silliman

**Meeting Called To Order:** Chairman Helen Mackes called the meeting to order at 7:30 p.m. Ms. Mackes noted the passing of member Phil Marano, who had served as a Township Planner for nearly 30 years. A moment of silence was observed for Mr. Marano.

**Approval of June 18 and July 16, 2015 Minutes:** The minutes of the June 18, 2015 meeting were tabled for corrections at the request of the planners at the July meeting. They were reviewed and approved with a motion by Mr. Boileau, seconded by Mr. Craig, and carried. Minutes of the July 16 meeting were approved with a motion by Mr. Craig, seconded by Mr. Phillips, and carried.

**Public Comments Relating to the Agenda:** No public comments.

**New Business:** Mr. Boileau asked if the agenda for the upcoming Planning Commission meeting could be posted on the Township website. Ms. Gannon agreed to do this if other members agreed. There were no objections to the proposal.

Attorney Lyons advised that only approved minutes could be posted on the website; thus, meeting minutes will be posted after approval.

**Old Business:** The Gower Estates Subdivision Plan was officially withdrawn by Mr. Gower and requires no further action from planners or supervisors.

**Other:** There was a discussion on how the Zoning Hearing Board gets a request for a change in zoning or a waiver. Application may be made for a special exception by filling out a form. The Zoning Hearing Board can only listen to the issues; all decisions regarding zoning changes or exceptions must be made by the Board of Supervisors. Mr. Boileau asked about fees. If someone pays \$400 (for example) in fees for a special exception, and engineering fees or attorney fees are more than that, can the Township charge the applicant for the overage? Yes, there is an ordinance that allows the Township to collect fees in excess of standard charges if there are additional costs. Sometimes an escrow account is used to defray costs.

Helen Mackes told the Board that Chad Peters would no longer be the Township engineer as he is moving. Brien Kocher will act as our engineer until a replacement is found.

**Public Comments:** There were no public comments.

**Adjournment:** The meeting was adjourned at 7:45 p.m. with a motion by Mr. Craig, seconded by Mr. Phillips and carried.

Respectfully submitted,

Darcy L. Gannon,  
Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

# Planning Commission Minutes

September 17, 2015

The monthly meeting of the Eldred Township Planning Commission was held on September 17, 2015 at 7:30 P.M. at the Eldred Township Municipal Building.

In Attendance: Helen Mackes; chairperson, Charles Phillips, Carey Krum, Robert Boileau, Archie Craig, Darcy Gannon; recording secretary, Daniel Lyons; solicitor

Not in Attendance: Kevin Silliman

Meeting Called To Order:

Chairperson Helen Mackes called the meeting to order at 7:30 p.m.

Approval Of August 20 Minutes:

A change was requested to state that the Zoning Hearing Board can hear and decide on Special Exceptions, Zoning Changes and Interpret Ordinances. The Board of Supervisors hears Conditional Uses and Amendments.

A motion was made to approve the minutes as amended by Archie Craig and seconded by Charles Phillips. Motion Carried.

Public Comments Relating To The Agenda: No Public Comments

New Business: No New Business

Old Business: Re: The Wimmer letter-Based on the 2004 ordinance, water extraction was not permitted. The Wimmer letter stated the opposite. Were there changes between 2004 and 2014 that changed the 2004 use except as a special or conditional use? Dan Lyons will check his archives to see if there was a change that applies to this.

Public Comments: Helen Mackes read a letter announcing a public meeting with Phil Getty, Hydrologist, to disseminate information about the water extraction issue. The meeting will be Sept. 21, 2015 at the Kunkletown Fire company.

Adjourn: A motion was made to Adjourn by Carey Krum and seconded by Charles Phillips. Carried.

ETPC Sept. 17, 2015

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Respectfully submitted,

E. Ann Velopolcek

Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk; Engineer Chad Peters; Engineer Brien Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm.

## PLANNING COMMISSION MINUTES

October 15, 2015

The monthly meeting of the Eldred Township Planning Commission was held on October 15, 2015 at 7:30 p.m. at the Eldred Township Municipal Building.

**In Attendance:** Chair: Helen Mackes, Robert Boileau, Charles Phillips, Carey Krum, Archie Craig, Mike Kolba, Solicitor; Daniel Lyons, Recording Secretary; Ann Velopolcek

**Not In Attendance:** Kevin Silliman

**Also In Attendance:** Robert R. Bush, JoAnne Bush, Donna Deihl, Marion O'Donnell, Mary Anne Claussen, Vernon Barlieb, Marietta Barlieb, Bill Ziegler, Luann Ziegler, Gary Hoffman, Olivia Hoffman, Virginia Salter.

**Meeting Called To Order:** Chair Helen Mackes called the meeting to order at 7:30 P.M.

**Approval of Minutes:** The minutes of the September 17, 2015 meeting were approved with a motion by Carey Krum, seconded by Archie Craig and carried.

**Public Comments Relating To The Agenda:** There were no public comments relating to the agenda.

**New Business:** There was no new business.

**Old Business:** Atty. Lyon was asked in the September meeting to produce a memorandum about the status of the water extraction use regarding any amendments to the 2004 zoning ordinance which may have changed the use for Manufacturing or the definition of that use. After a brief review it is his opinion that, as it relates to the water extraction, it was allowed only as a special exception and therefore there were not any changes in the ordinances. However, he has not been able to review in detail all the ordinances and needs more time to produce a memorandum.

Mr. Boileau requested that when he does so he will forward a copy to the secretary to be sent to the commissioners for their review. Atty. Lyons agreed.

Mr. Kolba asked about the reporting process to register a natural feature or area of note to the county. His question is who does this reporting and to whom.

Atty Lyons is not aware of any ordinance re: this question. He believes that information is already collected, but advised that any such inquiry should go to the Supervisors, and the Supervisors can refer to the Planning Board if they wish.

Mr. Boileau asked about the ambient noise testing that is being done by Nestle. He brought up the experience the township had with Alpine Rose. His question is about the noise level between day and night. His concern is that the testing results may be skewed if nighttime ambient noise is included in the overall ambient noise readings as the nighttime noise is far less than daytime but actual noise levels have greater impact at night to the residents.

Atty Lyons replied that he was a party to some of the Alpine rose discussions. Limits were set at a decibel level at the boundary line and violation could result in shut down. Mr. Boileau stated the difference is that Alpine Roses' use would not occur at night.

Atty Lyons agreed that a 24 hour operation would have a greater impact.

Mr. Boileau asked if there were separate requirements for ambient readings daytime/nighttime.

Mrs Bush asked if there are traffic studies required also .

Atty Lyons said there could be, as a special condition. He added that this would take place after an application was submitted and a special exception use was granted and that the land development plan would follow that.

Mr. Kolba asked "who specified the points at which those (Alpine Rose's) measurements were taken?"

Atty Lyons: Judge Vican then there was an appeal then a final decision was made. Judges' decision.

Mr. Kolba stated that then the supervisors would make the initial decision which could be appealed by any aggrieved party to the zoning hearing board.

Mr. Barleib asked how much digging and moving of dirt can be done prior to a land development plan.

Atty Lyons stated that when they change the use or plan to build a building , that is when they are required to submit a land development plan.

Mr. Barlieb stated that it seems wrong to not require any permit for the wells being dug.

Atty Lyons stated that the Monroe County Conservation District has regulations about disturbing soil and they relate to the amount of soil being disturbed, but that he has not seen that ordinance.

Dr. Baker indicated that there was a large amount of disturbance during the well drilling in at least 2 sites.

Atty Lyons indicated that the ordinance needed to be review to determine this issue.

Mr. Boileau pointed out that any action by the supervisors must be related to an ordinance. They just can't say no. The Supervisors are an enforcement group. They can change an ordinance but there must be an ordinance for any action.

Atty Lyons also indicated that there are also storm water and runoff ordinances in effect.

Mr. Boileau made the point that without an ordinance you can do what you choose at your own risk but you cannot get approval without acquiring permits and following the ordinances.

Mr. Barlieb stated that the Conservation District will not allow any soil erosion off your land.

Atty Lyons stated that there were different requirements for different areas.

Mr. Barlieb asked who initiates a report to the Conservation District.

Atty Lyons stated the governing body or an individual.

Mr. Hoffman gave the ordinance numbers for the noise and traffic questions (701.6 and 708.8).

Atty Lyons stated that this would not be looked at until a special exception has been granted. He explained the 4 types of uses and stated that the burden of proof and persuasion is on the applicant.

A motion to adjourn was made by Mr. Kolba and seconded by Mr. Phillips. Carried.

Meeting adjourned at 8 P.M.

Respectfully submitted,

Recording Secretary

CC: Eldred Township Board of Supervisors; Monroe County Planning Commission; Solicitor Daniel Lyons; Solicitor Michael Kaspszyk;

Engineer Brian Kocher; SEO Jacob Schray; Zoning Officer Ellerslie Helm

## **Eldred Township**

### **Planning Commission Minutes**

**November 19, 2015**

The monthly meeting of the Eldred Township Planning Commission met on November 19, 2015 at the Eldred Township Municipal Building 490 Kunkletown Road, Kunkletown, Pa.

**In Attendance:** Helen Mackes (Chair), Charles Phillips, Archie Craig, Carey Krum, Mike Kolba, Daniel Lyons (Solicitor), Brian Kocher (Engineer)

**Not In Attendance:** Robert Boileau, Kevin Silliman

**Also In Attendance:** Michael Austin of Western Land Services, Donald Lewis

**Meeting Called To Order:** The meeting was called to order by Helen Mackes at 7:30 P.M.

**Approval of Minutes:** A motion was made to accept the minutes of the October 15, Minutes by Mr. Craig and seconded by Mr. Krum- all in favor- motion carried.

**Public Comments To the Agenda:** There were no Public Comments relating to the agenda.

**New Business:** Mr. Austin spoke stating that he was here on behalf of the Walters regarding their subdivision. This meeting was only a fact finding meeting to determine what documents were required and what work needed to be done to do the subdivision. There was discussion about septic requirements and access issues. Mr. Kocher added his ideas. Atty. Lyons directed Mr. Austin to the appropriate ordinances. No vote was asked for nor taken.

Smith Jointer- The Planners do not need to be involved in a Jointer. Mr. Smith was given the information he needs to proceed.

**Old Business:** Lyons Letter- The letter from Atty. Lyons reviewed his findings on the changes in the ordinances regarding water extraction.

**Public Comments:** There were no public comments.

**Adjournment:** A motion to adjourn was made by Mr. Kolba; seconded by Mr. Krum: motion carried. Meeting adjourned at 7:47 P.M.