

## April 12, 2017 POLK TOWNSHIP PLANNING COMMISSION

Polk Township Planning Commission met on Wednesday, April 12, 2017 at 6:30PM at the Municipal Building, 165 Polk Township Road, Kresgeville, PA. Commission Members present were: Carl Heckman, Michael D. Hurley, Mark Giunta and Gary Bruch, along with Solicitor Jerry Hanna, Engineer Russell R. Kresge Jr., and Zoning/Codes Officer Gerald Zurat. Member Richard Courtright Jr. had notified the Secretary, of his absence.

### PLEDGE OF ALLEGIENCE

**APPROVAL OF MINUTES:** Mark Giunta moved to approve the March 8, 2017 Planning Commission minutes. Seconded by Hurley. All in favor. Motion carried.

**CORRESPONDENCE:** **MCPC:** March meeting cancelled; 2016 Annual Report; 2/14/17 minutes; 4/11/17 agenda. **CJERP:** 3/23/17 draft minutes; 1/26/17 minutes; 4/27/17 agenda. Planning/Zoning class info.

### PLANS FOR ACCEPTANCE TO REVIEW:

#### **Alton & Lilamae Kleintop Minor Subdivision/Lot Consolidation Plan:**

Surveyor Brian Courtright reviewed the Plan, which intends to undo a previous Plan dated 4/10/1989, by rejoining a section of the lot with the home to the larger remaining lands in order to create a 10-acre parcel for Clean & Green status. Courtright requested waivers for soils; surveyor certification, and wetlands. Zurat reviewed SEO Jonathan Shupp's review letter with 4 comments, since the proposed plan was suggesting an easement for the existing home's septic system on the larger lot. A waiver would also be required from testing on the larger tract. Zurat also provided a four comment 4/4/17 letter. Discussion focused on minimum net lot acreage for the proposed 1-acre and 10-acre parcels, which takes into account setbacks. The proposed boundary lines will need to be relocated. Zurat & Kresge will also research the code in regards to the Weir Mt. Rd. classification and whether future road widening must be reserved. Zurat reminded Courtright that justification must be included in the waiver requests. Since the Plan will take on a different form in order to obtain the 1-acre minimum net lot acreage and also create 10 acres for Clean and Green, the Commission took no action on the Plan.

### PLANS IN REVIEW:

**The Woods - Final Plan for Phase I:** Engineer Christopher McDermott represented the Plan and provided the following information: The planning module was previously approved by DEP; however, the NPDES permit must be updated. Corktree Rd. is substantially completed to the turnaround; and the stormwater facilities and basin have been constructed. A formalized phasing plan has been submitted. Stone subbase has been installed but not yet paved and a majority of the improvements are completed. This Plan falls under the Zoning & SALDO Ordinances before 5/23/15; therefore, only 1 sewage test site is required. Phase I includes 1700' of roadway and 12 lots. Parisi will bond improvements that are not complete.

Kresge's 3/22/17 review letter was discussed. **Comment 1.** While McDermott noted that 75% of the bus stop/mailbox area has been graded and stoned, Kresge stated that the layout and turning radii for the area had never been addressed. Also, the 8' chain link fence for Stormwater Basin #1 in the Preliminary Plan has been changed to a 4' split rail fence with chicken wire. Heckman noted that 4' is the usual height for swimming pools, but is there a standard for a large stormwater basin? **Comments 2, 3, 4, 5, & 6** McDermott will correct. **Comment 7.** The certification makes reference to the boundaries prepared by Effort Associates; therefore, McDermott has contacted Mike Lalli for the data & will certify the boundary survey. **Comment 8.** The as-built profile of Corktree Rd. will be completed with the help of Surveyor Michael Lalli. Points along the roadway will be superimposed onto the plan. **Comment 9.** McDermott is in the process of submitting revisions to amend the NPDES permit, due to the additional disturbance of the land. **Comment 10.** A proposed plan for the succession of ownership and maintenance of facilities will need to be addressed by Parisi and his counsel; and then reviewed by the Twp. Solicitor. **Comment 11.** Lalli will provide data for the as-built improvements, which will be overlaid onto the Plan. **Comment 12.** McDermott will obtain the required signatures. **Comment 13.** The probably cost figures for the improvements must be submitted. **Comment 14.** A maintenance security must be provided for the completed improvements. **Comment 15.** McDermott will review the development agreement and make the

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Changes to the Phasing Plan. **Comment 16.** To provide for the temporary turnaround, an easement is required at Lot 85, which would later be extinguished. McDermott suggested a different solution that entails a note on the Plan that the turnaround is temporary on remaining land.

McDermott stated that the changes to be made dealt with the turn-around radii, detailing, and legal documents and asked for a conditional recommendation. Zurat provided a copy of the County comments, which McDermott had not seen. There are comments in regards to ownership, which must be researched. Zurat also provided his 12-comment letter dated 3/22/17 which had been mailed to McDermott. Comments included: proof that item 6c of the preliminary approval had been completed and 6A & 6C opinion letters should be received; there are inconsistencies between the phasing plan and developer's agreement; a draft of a deed with restrictive covenants should be prepared for review; a draft of the Homeowners Association's articles and bylaws should be prepared; and on-site drainage easements must be included in deeds or HOA as applicable. Kresge noted that Phase I and Phase I-A labeling would provide better clarification of the developer's agreement. Zurat noted that the old SALDO requires the PC to approve (not recommend) a phasing plan which should not be overlooked. Kresge has consulted with Fareri in regards to the fact that the new SALDO requirements do take effect in regards to administrative elements & current fees, but not the design. McDermott stated that most of the issues required Supervisors decisions and asked for the Plan to move forward. The Planning Commission members were in agreement that there were too many outstanding issues to recommend the plan. Heckman acknowledged the residents present and if there any questions in regards to the final plan. Property owner Andy Thompson, requested a better view of the site's plot plan and the phasing plan, which was provided with explanation. Mrs. Annette Borger, asked to view the locations of the 2<sup>nd</sup> and 3<sup>rd</sup> detention basins and asked about the size of the lots and septic system. Explanation was provided. There are individual septic systems for each 1-acre lot. Gary Bruch moved to table "The Woods Phase I Final Plan." Seconded by Giunta. All in Favor. Motion carried.

**Derek K. Kleintop Lot Consolidation Plan:** (Burger Hollow Rd. & Gemerd Rd. Time is good to May 9, 2017.)

A different surveyor had provided the 4/1/17 revision, but the first surveyor's certification was added to the revision. The Changes between surveyors had resulted in items added, some omitted and some additional information needed. The Commission had received Kresge's 10-comment 4/10/17 review letter & Zurat's 6-comment 4/5/17 review letter. The following items were discussed to be added or corrected: plan scale; monuments set (Pins in a road are usually set on the right-of-way line, with the proper distance notated on the plan.); an additional clear-sight triangle; setbacks; road right-of-way widths, zoning district; deeded owners labeled on all lots; deed reference & parcel number on each lot; soils 7 & contours added; and block for notarized owner certification, address & total consolidated acreage to be noted prominently. A separate letter with justification for waiver requests is required. Bruch moved to table the Derek K. Kleintop Lot consolidation Plan; seconded by Giunta. All in Favor. Motion carried.

Giunta moved to recommend to the Supervisors a 90-day time-extension to the Derek K. Kleintop Lot Consolidation Plan, which will take the Plan to August 7, 2017. Seconded by Bruch. All in Favor. Motion carried.

### OTHER BUSINESS:

**CJERP Report:** Hurley relayed information from MCCD's Adam Schellhammer, on a program to plant trees and shrubs on properties with streams to keep the stream cold. Polk provided a letter of support to Chestnuthill Twp. on their plans to purchase an large open space property that borders their Township property. There was discussion on how to handle problems with short term rentals. Giunta expressed a desire for regulation over banning, since there are few hotels for skiers in this area. As of now, the definition of dwelling unit in the zoning ordinance is specific to the use of a single-family home. To allow short-term rentals, an ordinance with regulation and policing would be required.

**Polk Township Community Walking Park Update:** The property sign has been approved for a grant. Hurley and Heckman walked the area after a rain and the creek was wild & wide. The bridge was not found. Possibly it is better to put up a fence and keep people away from the stream. Hanna stated parks are a common factor for

municipalities; therefore, the insurance carrier should be contacted for information. In order to apply for grants, a phased plan must be developed. Kresge was asked for his services in this area to work with the PC on ideas. Kresge suggested a connector with the north property. The park must remain passive due to open space funding.

**AMENDMENTS TO SALDO AND ZONING:**

**Lot Area Requirements for Specific Uses:** Zurat noted that the old zoning had provided additional lot area requirements for specific uses. Cases in point: a park, car dealership, or retail store required a minimum of 2 acres, but now could be placed on 1-acre. The PC members agreed that Zurat should prepare a precise schedule for specific uses and their minimum lot areas.

**Parking Standards:** Zurat noted there are no standards for parking in the new zoning ordinance, for some of the more common uses, such as: the Dollar General, auto repair, auto sales, or a gas station without a convenience store. The PC members agreed that Zurat should prepare a parking standard schedule for review.

**Paving Standard:** Currently, the paving standard is found only in the SALDO and it also needs to be in Zoning. There can be changes or additions to a property, that would require paving, and without the standards listed, stone could be used, rather than the desired paving for some uses. The PC members recommended the paving standards be prepared by Zurat for review.

**Landlord Registration of Tenants:** Zurat noted that the registration of tenants had previously been in the zoning ord., but was rightly dropped, since it is really a stand-alone ord. After discussion, the PC members agreed to recommend a landlord registration of tenants ord. be developed for review.

**Developer's Agreement:** Zurat relayed that the current developers agreement in the SALDO, was missing a maintenance bond section, which was added in the case of The Woods. The updated agreement model should be amended in the SALDO.

**Surveyor Certification:** An ordinance draft for review was not yet available, but the PC had previously agreed that the standards of the PA Society of Land Surveyors would be utilized in preparing a draft.

**PUBLIC COMMENT:**

Annette Borger and Jean Burger asked questions about zoning districts. Zurat explained that zoning areas are determined by Township Supervisors, and Heckman explained the differences between Districts RR and R-1. The Woods Development off of Haney Rd. is R-1 due to the amount of single-family homes; therefore, lot sizes are 1-acre minimums. The RR district requires a 2-acre parcel minimum.

Borger and Burger also asked who should be contacted and what can be done in regards to the dangerous speeds of vehicles on Burger Hollow Rd., resulting in many accidents and cars passing stopped buses. The speeds are lower on RT 209 than Burger Hollow Rd., which is 45mph. Heckman suggested they attend the Supervisors meeting to express concern and possibly the Supervisors would authorize a traffic study to determine if the speed limit can be reduced.

**ADJOURNMENT:** Giunta moved to adjourn the meeting. Seconded by Bruch. All in Favor. Motion carried.  
Chairman Heckman adjourned the meeting at 8:45 PM

Respectfully submitted,

  
Ruthanne K. Toner  
PC Recording Secretary