

Hilltown Township Planning Commission  
January 2006 Work Session Minutes

The Planning Commission met at the Township Building on Thursday, January 5, 2006. Members present were Brooke Rush, Chuck Kulesza, Mike Beatrice, Ken Beer, Joe Marino, and Denise Hermany. Bill Bradley was not in attendance. Lynn Bush from the BCPC was unable to attend due to a death in the family.

Township residents attending were Marilyn Teed and Nancy Boice. Jerilyn Covert from the press was also in attendance.

Brooke Rush and the PC welcomed Joe Marino to the year position on the Planning Commission. Ken Beer was reinstated for another year term.

Election of Chairman, Vice Chairman and Secretary – Brooke Rush asked for nominations for Chairman. Denise Hermany nominated Brooke Rush and Ken Beer seconded the motion. Mike Beatrice nominated Chuck Kulesza who stated that he appreciated the nomination, but believed that Brooke was doing a very good job as the chairman. *Brooke Rush was voted Chairman 5-1, with Mike Beatrice not in favor.*

Chuck Kulesza was nominated Vice Chairman by Denise Hermany. Ken Beer seconded the motion. *Chuck was voted Vice Chairman 6-0.*

Denise Hermany was nominated Secretary. Denise stated that she would be willing to continue in the position during the Planning Commission review of the Zoning Ordinances, after which she would gladly relinquish the job to someone else. *Denise Hermany was voted Secretary 6-0.*

Denise Hermany suggested that an additional work session meeting be added to the schedule to help expedite the zoning ordinance review. The PC agreed to recommend to the supervisors that a special meeting be scheduled for January 26, 2006 at 7:30pm.

December Work Session Minutes –

During the review, Mike Beatrice, who had to leave the December work session at 9:00pm, asked how the PC decided that *Bed and Breakfasts* only be allowed in buildings constructed prior to 1910. The PC stated that there was a preference for B&B's to occupy older structures that were of the Victorian Era or earlier. No comments were made about the recommended changes to the *Accessory Family Apartments* ordinance.

Ken Beer made a motion to accept the minutes, Denise Hermany seconded. The minutes passed 3-0, Mike Beatrice – partial acceptance for the time he was present. Chuck Kulesza and Joe Marino abstained since they were not at the previous work session.

Review of Current Draft Zoning Ordinances – Denise Hermany informed the PC that she met with Lynn Bush on December 21, 2005 to finalize the PC recommended revisions to the zoning ordinances completed to date. Lynn Bush forwarded completed changes back to the PC for final review. Those include: *Farmstead, Trade Business, Barn, and CMD*. Lynn Bush was adding a Trade Buffer section to the *Buffer* ordinance and would forward the completed version prior to our next work session. Lynn also was going to review requirements for the CR1 and CR2 districts so that all setbacks for 30,000 sq. ft. lots are consistent with those in the CMD.

*Post Meeting Note: Lynn Bush will review setbacks in CR1 and CR2 and forward any revisions prior to our next work session.*

#### Farmstead – Complete

##### Trade Business

- Mike Beatrice stated that “*and similar occupations*” seemed redundant and should be removed from the first paragraph. The PC agreed.
- Section b – Mike asked why the impervious surface information was included here. Denise Hermany believes that this was in the PC’s original version that was submitted to BCPC. Denise will verify with Lynn Bush. *Post Meeting Note: Lynn Bush stated that it would be appropriate to remove section b.*  
Marilyn Teed commented that accessory buildings on the property could fall into the “Accessory Residential Use” category where according to Table 502 - Bulk & Area in the present zoning ordinances, the impervious surface ratio can be 35%. The PC did not see any Bulk and Area Table in the new ordinance draft. The PC prefers that the impervious surface in the Trade Business Ordinance be limited to the impervious surface ratio for each zoning district. Denise will verify with Lynn Bush whether there is a Bulk and Area Chart in the amended ordinances. *Post Meeting Note: Lynn Bush stated that there is no Bulk & Area Chart in the amended ordinances. All bulk and area information is contained within the individual districts. There is no additional impervious surface for any accessory residential use in the amended ordinances.*
- Section e – For clarity, Mike suggested that “*per trade business*” be removed. The PC agreed.
- Section h – Mike asked why there were 6 off street parking spaces for 4 employees. Ken Beer believes the additional spots would be for non-employees or visitors. Denise Hermany will ask Lynn B. to verify. *Post Meet Note: Lynn Bush commented that it is acceptable to limit off street parking to 4 or 6 spaces.*

##### Barn – Additional Use Opportunities

- A lengthy discussion took place regarding the definition of a barn. Mike Beatrice believes that the barn definition shouldn’t include the storage of a product where the building was never used for agricultural purposes. Ken Beer made a motion to accept the barn definition as written. Denise Hermany seconded the motion. *The motion passed 5-1 with Mike Beatrice not in favor.*
- Under the “Use” Chart, *I16* should be changed to *E36*

Brooke Rush stated we should try to find these errors whenever possible, but it is the ultimate responsibility of the BCPC to find any inconsistencies.

- Section C – change “*additional*” to “*addition*”.
- *Post Meeting Note: Lynn Bush clarified that trade business would fall under a home occupation and would not need to be specified in the Barn Ordinance.*

#### CMD – Conservation Management District

- E-34 remove “*Day*”
- Clarification of 12% - Brooke Rush stated that as currently proposed the CMD would have an impervious surface ratio of 12% with an additional 3% to be added by the homeowner, upon receipt of initial occupancy permit. Mike Beatrice wanted Lynn Bush to confirm whether the impervious surface ratio would increase for all the CMD or just future subdivisions. *Post Meeting Note: Lynn Bush said that a maximum 15% impervious surface ratio would apply to the whole CMD district. She mentioned that 15% is used in other townships and hasn't presented any problems.*
- B2 – “Lots of 3 acres, but less than 4” - Denise Hermany stated that after reviewing previous Work Session minutes, she believes that this section should be removed. The section is confusing, will be difficult to monitor and has very limited application. Chuck Kulesza, Brooke Rush, Ken Beer, and Mike Beatrice agreed. Joe Marino stated that he believes that we are denying his and other people’s rights to subdivide their land. The PC commented that the ordinance has limited application because the vast majority of homes on three-acre lots are situated on the property that preclude subdivision - there usually isn’t an additional 150 ft of road frontage. Brooke Rush stated that all zoning is the giving and limiting of people’s rights. Denise Hermany made a motion to remove Section B2. The motion passed 5-1 with Joe Marino not in favor.
- Open Space – Lynn Bush revised the open space section to reflect the PC’s comments from our November 2005 Work Session. Denise Hermany stated that she wanted the ordinance to clearly reflect that the township had the ultimate right to decide whether or not a subdivision was to be a B-1 Single Family Design or a Single Family Conservation Design. The PC agreed and revised Section B, part c: “*Based on the Existing Resources and Site Analysis Plan, the township shall determine and recommend to what extent if any, open space is appropriate.*” Denise Hermany is to verify with Lynn Bush if this reflects the intent of the PC. *Post Meeting Note: Lynn Bush added a B3 Single Family Conservation design under Conditional Uses. She also stated that Section B, part c could be worded as “Approval of use B3 shall be at the sole discretion of the township.”*

#### Bed & Breakfast – Section k

Denise Hermany was concerned that large events such as weddings and receptions with 200 people could pose noise and safety problems for the township. Ken Beer agreed. If the event was on a large property it probably wouldn’t be a problem, but this ordinance can not control the property size. Brooke Rush suggested that events could be limited to 50 people. *The PC agreed to remove section k 5-1, with Brooke Rush not in favor.*

The PC agreed that Denise Hermany would forward the above recommended changes to Lynn Bush to incorporate into her draft. The PC recommends that Lynn Bush then forward the following ordinances to the supervisors: Farmstead, Trade Business, Barn, Family Accessory Apartment, Bed & Breakfast and CMD. *Post Meeting Note: Lynn Bush is adding the Trade Buffer to the Buffer ordinance and will forward to the PC several days prior to our next work session.*

Future Meeting Ordinance Review

Definitions – should be a quick review *Post Meeting Note: Per the PC, Lynn Bush has added definitions for temporary structures, non-residential and commercial vehicles and will forward to the PC before our next work session.*

Buffer – should be a quick review

Blooming Glen Village Center

CR1/CR2

Old Business - Brooke Rush commented on the importance of attendance at all meetings for all PC members. He believes that according to township regulations, no Planning Commission member is to miss two regular or work session meetings in a row, without a valid excuse. Also, if unable to attend a meeting, it is important to notify him prior to the meeting. Brooke will call Bill Bradley to make sure that he will be able to attend future meetings.

New Business – Joe Marino mentioned that there is also a township requirement that board members attend yearly continuing education meetings. Brooke will speak with Ken Bennington about upcoming educational opportunities for the PC.

The meeting adjourned at 10:30pm

Respectfully Submitted,

Denise Hermany

Planning Commission Secretary