

Hilltown Township Planning Commission September 2005 Worksession Minutes

The Planning Commission met on September 8, 2005 at the Township Building. Planning Commission members present were Jack McIlhinney, Brooke Rush (arrived at 8:45 pm), Denise Hermany, Mike Beatrice, Bill Bradley and Ken Beer. Chuck Kulesza was not in attendance.

Township residents present were Sandy Williamson, Joe Miketta, Mark Funk, and Mike Brown. Also in attendance were Rich Bevilacqua, Robert Showalter, Jerilyn Covert from the press and Tim Kohler from the BCPC.

Motion was made by Denise Hermany to approve the July 18, 2005 work session minutes and Jack McIlhinney seconded. Ken Beer and Bill Bradley abstained since they were not in attendance at that meeting. The motion passed 4-0.

Subdivision Submissions

Hawk Valley - Denise Hermany distributed her review (see attached) of the Hawk Valley planning process as described in the BCPC review letters and the minutes of Planning Commission Work Sessions and Public Meetings. At the previous public meeting, the applicant's lawyer stated that the applicant was misled in the sketch plan process. Denise Hermany believes that was not the case.

Mr. Robert Showalter was in attendance to present other sketch plans so that the applicant could move forward in their preliminary plan process. Mr. Showalter's new sketch plan also included Mr. Schafsteller's property which lies north of the Jakubowitch tract. Denise Hermany mentioned that she believed that the AB system on lot number 5 precluded the applicant from having the temporary cul-de-sac adjoin TMP 15-22-180. She stated that this tract was larger and better suited for the tie in. Mr. McIlhinney believed that the applicant presented a viable alternative (TMP 15-22-165) which was the requirement of the zoning ordinance.

Gitlin/Johnson – the PC reviewed the letter from Van Cleef, stating that the Planning Modules were sent into the Township prior to July 31, 2005 and not the DEP.

Lot Size and Zoning Information Spreadsheet – Mike Beatrice presented a map overview by tax map parcel of the 3+ acres in the township. Parcels were colored coded and depicted by 3-5 acres, 5-10 acres, 10-20 acres, 20-40 acres and 40 + acres.

Mike's analysis showed his calculations of the potential for the greatest number of new homes based on the different CMD options. The PC agreed that the number of potential new homes would probably be lower since the county is behind in recording tax mapping data as well as Mike's information does not take into account all other zoning conditions required for a potential subdivision. The PC also commented that it is important to keep the information up-to-date for an accurate overview.

Mike commented that this information could also be used by the Open Space Committee. The PC thanked Mike for his work.

Public Water vs. Lot Size –

The PC looked at the proposed amended zoning ordinance with respect to public water. There was a long discussion regarding whether public utilities should determine lot size and development density vs. the township planning for those utilities regardless of lot size.

Should Public water be tied into Lot Size? Following are the PC's opinions.

Jack McIlhinney – Developers should install the water lines and the present zoning ordinance gives them that incentive.

Brooke Rush – Extension of all utilities should be a planning issue and zoning should control density. The township should decide where we want the water to go and the developer should decide how they can make that happen regardless of lot size.

Denise Hermany – Public water should not dictate lot size. We should decide the lot size in the CMD.

Bill Bradley – Running water through the township has accelerated development. Developers are able to tie in along the public water line. We need more of a balance and we should not have public water connected to lot size.

Mike Beatrice – Under the present system, as water is extended, it is easier for people to connect in and develop their properties with a 50,000 sq. ft. lot size as opposed to a 3 acre lot.

Ken Beer – I prefer larger lots with the open space owned by the property owner and I believe that water should be a planning issue not a development issue.

Tim Kohler of the BCPC said that there should be a disconnect between public water and lot size. The PC should look at the Comprehensive Plan and ask the question whether 50,000 sq. ft. lots are achieving that objective.

Brooke Rush commented that he believes that a 50,000 sq ft lot in the CMD isn't that much different from a 30,000 sq ft. parcel in the development districts. Our Comprehensive Plan states that there should be less development in the CMD to preserve farming and natural resources. The entire PC agreed with Brooke, other than Jack McIlhinney. Jack commented that we are taking people's land. Brooke commented that all zoning could be considered a taking from someone, but it is also preserving other people's rights. Mike Beatrice commented that there are more than 12,000 people living in this township with their own rights.

Tim Kohler commented that the Township should not have "shot gun development". We as a group need to decide where are the appropriate spots for public utilities.

Brooke commented that our Comprehensive Plan states that our RR district should have less development to preserve farming and natural resources. State law requires that there be a connection between our zoning and the Comprehensive Plan. Brooke asked the PC what their vision of the CMD/RR would be 10 years from now under the present zoning ordinance. He reiterated that there isn't much of a difference between the 30,000 sq. ft. lot size in the CR district and the 50,000 sq. ft. size in the RR. Many of the PC members agreed that the ordinance should be designed to meet the vision of the Comprehensive Plan.

Public Comment – Joe Miketta commented that he was promised that he would be able to develop 50,000 sq. ft. lots when public water was brought in. Now a small group is deciding a change and we are telling him that he will no longer be able to develop the same number of parcels on his property.

Ken Beer stated that with zoning all things are not guaranteed and that it is appropriate for the Planning Commission to make a recommendation on the revision of zoning.

Sandy Williamson commented that the present system is two-tiered and that we have defacto 50,000 sq ft. lots. The system favors the large landowner rather than the small one.

Conservation Management District

The PC reviewed the options in the CMD. Brooke took a poll of the PC regarding:

1.8 acre lot size with no open space -

Mike Beatrice prefers a 2.0 acre parcel. **Denise Hermany, Ken Beer, Brooke Rush and Bill Bradley** are *okay* with a 1.8 acre size. **Jack McIlhinney** is *against*.

Cluster Options –

Jack McIlhinney – Generally speaking he is not in favor of a cluster option with open space that is maintained by the Township. Only under specific circumstances would he consider a cluster development.

Bill Bradley – Would prefer that the Township have specific control over a cluster option. They are appropriate where the Township would like to preserve a special vista or natural resources.

Mike Beatrice – Believes that clusters are beneficial for preserving open space and natural resources. He believes that the Township should have the control.

Ken Beer – Willing to look at it. Not necessarily against a cluster option, but the Township needs to control it.

Denise Hermany – Believes that a cluster option needs to be in the control of the Township. Otherwise developers will choose a cluster option in most situations, because they will save money on development infrastructure costs. Doesn't believe that a cluster belongs next to developments with 3 acre parcels.

Brooke Rush – Clusters should be a planning issue and should be based on PC recommendations.

At the next worksession meeting, the PC will review impervious surface and permitted uses in the CMD. Also on the list are amended zoning definitions, B&B, and the VC overlay.

Old Business – Mike Beatrice requested another joint meeting with the Supervisors.

The meeting adjourned at 11:00 pm.