

APPROVED

CENTER TOWNSHIP
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<p>PLANNING COMMISSION Regular Meeting Agenda - 6:30 p.m. July 27, 2005</p>
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CALL TO ORDER: The regular meeting of the Center Township Planning Commission was called to order at 6:30 p.m. by Chairman Ken Frenchak. The meeting was held at the Township Building at 419 Sunset Drive, Butler, PA 16001.

ROLL CALL: Present, in addition to Frenchak, were members John Keffalas, Bob Sloan, Jeff Olen and Bob Paroli; and Township Engineer Ron Olsen.

PUBLIC TO BE HEARD:

1. Joseph Pelusi of 1087 Sunset Drive: Pelusi discussed his interest in a cell tower being permitted on his property of 15 acres which fronts on Route 8 and Sunset Drive. He was again advised to contact legal assistance and possibly reapply for a zoning change.

MINUTES: Sloan made a motion to adopt the minutes of the June 22, 2005, Planning Commission regular meeting. Olen seconded. Motion carried unanimously.

ELLIOTT REZONING: Frenchak made a motion to have a polling vote on the rezoning of 113 Henricks Road. Olen seconded. Motion carried unanimously.

Frenchak voted yes, Keffalas No, Olen No, Paroli Yes, and Sloan Yes. Frenchak made a motion to recommend to the Board of Supervisors to grant the change of the zoning of 113 Henricks Road from R-1 to C-1. Sloan seconded. Motion carried.

SUBDIVISIONS & LAND DEVELOPMENTS:

1. Mark Seezox (property of Devin & Nancy Wesser) Minor Subdivision #05-06-06, Sewage Facilities Planning Module: Olen made a motion to authorize the Chairman to sign the Sewage Facilities Planning Module. Sloan seconded. Motion carried unanimously.

2. Eagal and Gray, 160 Benbrook Rd., Minor Subdivision #05-07-07, Final Approval: Ron Bole presenting. Olen made a motion to recommend approval of this minor subdivision contingent on the existing dwelling on Lot 1 being designated a nonconforming structure. Sloan seconded. Motion carried unanimously. Olen made a motion to authorize the Chairman to sign the Sewage Facilities planning Module. Keffalas seconded. Motion carried unanimously.

3. Shady Lane, Phase III, Pheasant Ridge Drive, Major Subdivision, Final Approval: Bob Heaton presenting. Paroli made a motion to recommend granting final approval to Phase III of the Shady Lane Major Subdivision contingent on an escrow of \$17,725 for professional services being

deposited, executed agreements with BASA and PAWC provided, and Homeowners Association covenants for Phase III reviewed by the solicitor. A letter of credit in the amount of \$129,985 has been provided. Keffalas seconded. Motion carried unanimously.

4. Chilcott, Donald, Golden Dreams Land Dev. #05-07-09, 1615 N. Main St. Ext. Preliminary Approval: Chilcott presenting. Presentation is for preapplication discussion, not preliminary approval. There was discussion about the impact fees that might apply to this land development. Intent is to expand the present building for a professional office.

PUBLIC TO BE HEARD: Additional time was provided for residents who did not have the sign in sheet available when they came to the building.

Harvey Hulver discussed adding 2 duplexes to his development on Lakeview Drive. Again, the question of impact fees came up. Olen is a member of the Impact Fee Advisory Committee and said that he would try to get an answer on whether Hulver's development and Chilcott's development will be affected by the impact fees.

Larry Bercury, Oneida Valley Road, has property with two dwellings and has found it difficult to deal with the bank because of the two homes. He was advised that he would need an acre of land for the small house but that it would be a simple lot line revision.

OLD BUSINESS: Mineral Overlay: Frenchak read the following correspondence from Supervisor Flatt: "Dan (Cox) intended to have the PC consider at this time only the aspect of the issue concerning whether the area permitting mining should be expanded. He did not want to get into the complex issues of conditional uses at this time, although it's okay with him if the PC discusses those into the autumn. What he was looking for was a clear and brief opinion from the PC on whether (1) the mining district should be expanded and (2) if so, to what boundaries? Of course, my opinion is for M-1, M-1, and R-1A, as a conditional rather than a permitted use. Dan does think that it is not at all unreasonable for the PC to express itself on this narrowly defined issue at its July meeting. Once we get past this part of this issue, when we come to discussing the conditions we would impose, I think a small, joint subcommittee should work out the details of issues like hours of operation on which Dan Plaisted had some comments and proximity of the operations to residential areas."

Olen made a motion to report the following to the Board of Supervisors as requested. Paroli seconded. Motion carried unanimously.

In making our recommendation to the Board of Supervisors, we should first note that in the public hearing held June 1, 2005, regarding amending the Zoning Ordinance to add a Mineral Extraction Overlay District, representatives of Amerikohl stated that after twenty years of investigation, it was their belief that the only remaining mineable coal left in Center Township is in the Ferrero Site which includes the eight properties north of Jamisonville Road and which are located within the Overlay District. In view of Amerikohl's expertise and experience regarding the location of coal deposits in the township, it is our recommendation to the Board of Supervisors that the Mineral Extraction Overlay District is the appropriate response to the problem of the possibility of exclusionary zoning with regard to mineral extraction. Therefore, we support the Board of Supervisors in their adoption of the Mineral Extraction Overlay District as passed on June 8, 2005.

MISCELLANEOUS: Frenchak said that he met with the developer of the Aubrey rezoned area and it is his opinion that the biggest problem for the developer will be the sewage issue.

ADJOURNMENT: Sloan made a motion to adjourn at 8:48 p.m. Paroli seconded. Motion carried unanimously.

MARTHA A. HUFHAND
Township Secretary.