

PINE GROVE TOWNSHIP PLANNING COMMISSION
175 OAK GROVE ROAD, PINE GROVE, PA 17963
November 7, 2018 MEETING MINUTES



CALL TO ORDER – Chairman Frank Fox called the November 7, 2018 meeting to order with the Pledge of Allegiance at 7:00 PM. Attending were Planning Commission Members Frank Fox, John Stahl, Craig Kramer, and Reynold Eiche. Ray Stump was absent. Also, in attendance were Planning Commission/Zoning Hearing Board Secretary Cynthia Hummel, Township Engineer Ryan Fasnacht, Wayne Lehman (Schuylkill County Conservation District), Heath Machamer (HNT), Kevin Bensinger, (K. L. Bensinger, Inc.) list on file.

PUBLIC COMMENT ON AGENDA ITEMS – No public comment.

MINUTES – October 3, 2018 Minutes - Stahl motioned to approve the October 3, 2018 minutes, Eiche seconded the motion; all were in favor and the motion carried 4 to 0.

PERSONS TO BE HEARD – Wayne Lehman from the Schuylkill County Conservation District explained the Swatara Creek Restoration Project. Lehman said the project was started in 2011, is a 10-acre floodplain project and this would lower the floodplain by 28 inches. This is a 6-million-dollar project which combines two properties, Guilford Mills and Lot #41 of the Villas at Pine View Phase 2. Fasnacht mentioned Lot #41 is a Major Subdivision Plan currently under review by the Planning Commission, owned by Philip Riehl and was submitted that the Home Owners Association (HOA) would own and be responsible for Lot #41. Machamer explained the floodplain reference for the project was from the 2011 flood and is based on Guilford Mill’s floor elevation on the North end when they had 38 inches of water. Lehman mentioned this project will reduce the flood water by 28 inches through the North end of Pine Grove and the changes Guilford Mills performed in 2011 would reduce the water approximately 10 inches inside the plant; machinery would not be affected and would reduce damage. Fasnacht displayed the County’s proposal plan of the 12-acre, Lot #41.

Lehman said the Conservation District would like to ask Philip Riehl to donate the property to the floodplain project, have the Township waive the fee in lieu of land, and the Township take control of the property. Lehman said he would work with the Township to stream line the project and assist to develop the property with possible grant funding.

Fox mentioned the best solution is for the Conservation District to purchase the property and Philip Riehl pays the fee in lieu of land. Fox asked Fasnacht about the open space requirements. Fasnacht said open space needs to be able to be developed for recreation facilities. Lehman suggested soccer/baseball field, walking trails and an educational wet land species for the 12-acre lot. Eiche said the property could only be used for approximately three months a year and the Township would not benefit. Eiche also mentioned about the liability for owning the property. Stahl said it would be a place for people to create mischief.

Fasnacht asked what if the Township does not take ownership. Lehman said the other avenue is, since the Villas of Pine View Phase 2 is in limbo, he would have the Conservation District Engineer subdivide to created Lot #41. The Conservation District would pay for subdividing Lot #41 and cost of property (\$2,000/acre) to Philip Riehl. The Township or Borough would hold the property.

Stahl asked if there was an alternate location for the floodplain restoration. Lehman said no; this is the only open space other than ripping down homes in the Borough. Lehman said this is 1 of 4 phases; one of the other phases is getting water through the 443 bridge by Hlavaty’s and pull back the berm. Stahl asked if the four phases were part of the 6 million dollars. Lehman said this is for the first phase and he did not want to do the whole project when they can reduce 28-inches with the first phase.

Fasnacht said the Board of Supervisors are looking for the Planning Commission’s input on the following, does the:

- 1. Township accept ownership of the Lot #41
- 2. Waive Recreation Fee in lieu of land (\$25,000)
- 3. Combination of both; Township owns and reduce Recreation Fee

Stahl said it seems like the Township would be taking the financial burden to solve the Borough’s flooding problem. Lehman said the Borough has been working with them through the Watershed Recovery Meetings, stream sediment

removal, and cleaning drains in the Borough's. Lehman said it is for the Pine Grove Community. Stahl said it would be his tax dollars paying for this not the Borough's.

Lehman said it would be a benefit to the Township and Borough to have a park. Fox asked if the County could own property. Lehman said the County could own the property; it would be similar to Sweet Arrow Lake.

Fox mentioned an option to waive the fee and have the Borough or County take care of the property. Lehman said he could ask the Borough before the Township Board of Supervisors meeting and see if they would accept or have the County take responsibility as part of the County Park System.

Fasnacht asked if they met with Philip Riehl and if he is willing to give up the land? Machamer said he has not spoken to him but he has a call into him. Lehman said the Conservation District would get a permanent easement for the floodplain on Lot 41, so no matter if Mr. Riehl would or would not move forward with the development, the easement would be in place.

It was decided to recommend to the Board of Supervisors to waive the fee in lieu of open space if someone else takes ownership of the property. Fasnacht suggested they speak to Mr. Riehl for what he is willing to do.

OLD BUSINESS – Pine Grove Ten Pin Land Development – Preliminary/Final Plan Fox said we received the County review and an extension request. Fasnacht asked Machamer if he received the review from the Conservation District? Machamer responded no. A motion was made by Stahl and seconded by Kramer to grant a six-month extension from December 4, 2018 to June 12, 2019, all were in favor and motion carried 4 to 0.

Neil & Sherry Martin to Edwin & Karen Morgan Annexation – Final Plan - Fasnacht said we received the County review and the plan is ready for approval. A motion was made by Eiche to recommend the Board of Supervisors to approve the Neil & Sherry Martin to Edwin & Karen Morgan Annexation – Final Plan, Kramer seconded the motion, all were in favor; motion carried 4 to 0.

NEW BUSINESS – Aungst Annexation – Final Plan – Kevin Bensinger, K. L. Bensinger, Inc. explained Dean Aungst would like to sell the farm in the spring and found the garage was built over the line. The proposed annexation is to move the line to include the garage on the parcel. Bensinger said there is an existing easement and no new construction is proposed. Fasnacht said Bensinger e-mailed him a revised plan and he will resubmit the plans to the Township. Fasnacht said the Planning Waiver & Non-Building Declaration is here for signatures and the county review has not been received. Fasnacht went through the comments:

- §401.2.E *Provide annexation Acceptance certification....* Fasnacht said Bensinger revised.
- §401.3 *Provide the draft legal descriptions.* Fasnacht said Bensinger provided.
- §401.4 *Schuylkill County's Act 247 Review...* Fasnacht said the County review was not received.
- §401.5 *Provide the note listed under this section for the annexation parcel.* Fasnacht said this was addressed.

A motion was made by Stahl and seconded by Eiche to sign the Planning Waiver & Non-Building Declaration for the Aungst Annexation – Final Plan, all were in favor and motion carried 4 to 0.

Shadle Annexation – Final Plan - Bensinger explained Gary Shadle and his son own two properties, one on Mexico Road and the other on Stanhope Road. They would like to sell the property on Stanhope Road and are proposing to annex a section from the Mexico Road parcel. Fasnacht said Bensinger e-mailed revised plans and will submit them to the Township. Fasnacht said we have a Planning Waiver & Non-Building Declaration here for signatures and we are waiting for the county review. Fasnacht went through the comments:

- §401.1.C *The Township may approve scales larger than 1"=50'.* Fasnacht said we received a waiver request.
- §401.2.K *Provide the adjoining properties on the north side of the residue...* Fasnacht said this was added.
- §401.2.L *The plan does not appear to...* Fasnacht said this was added to the plan.
- §401.2.O *Verify closure for Annexation Parcel B.* Fasnacht said this was received.
- §401.3 *Provide the draft legal descriptions.* Fasnacht said this was added.
- §401.4 *Schuylkill County's Act 247 Review...* Fasnacht said the County review was not received.
- §401.5 *Provide the note listed under this section for the annexation parcel.* Fasnacht said this was added.

A motion was made by Kramer and seconded by Eiche to approve the waiver of §401.1C for the plan scale for the Shadle Annexation, all were in favor and motion carried 4 to 0. A motion was made by Stahl and seconded by Kramer to sign the Planning Waiver & Non-Building Declaration for the Shadle Annexation – Final Plan, all were in favor and motion carried 4 to 0.

CORRESPONDENCE – Zoning Hearing Board Request for Planning Commission to review Proposed Zoning Ordinance Revisions - Hummel said included in the Zoning Hearing Board booklet are all new definitions, new ordinances, changes to existing ordinances and removal of items from the existing Zoning Ordinance dated December 2009. Items in red font are changes in the wording of the current Zoning Ordinance. Fasnacht said he and the Zoning Officer were requested to prepare a riparian section and revise the timbering section to be included to the proposal. Hummel mentioned the proposed changes addressed: new definitions like “PETS, KEEPING OF”, communication poles, marijuana growing & distribution and methadone treatment centers. Hummel mentioned the Planning Commission is to review and discuss items they would like to change in the Zoning Hearing Board Proposed revisions booklet along with the Township Engineer’s and Zoning Officer’s riparian and timbering sections. Suggestions and changes from the Planning Commission will be sent to the Board of Supervisors to review and a hearing will be scheduled for the public to review and comment.

PUBLIC COMMENT – No public comment.

ADJOURNMENT – At 7:45 PM Kramer moved to adjourn the meeting and Eiche seconded the motion, all were in favor and the motion carried 4 to 0.

Respectfully Submitted,

Cynthia Hummel, Planning Commission Secretary

Approved on December 5, 2018 at Planning Commission Meeting

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