

**LYCOMING COUNTY PLANNING COMMISSION MEETING**

**Executive Plaza Building**

**March 18, 2021**

**6:00pm**

**MEMBERS PRESENT:** Joe Reighard, Jason Bogle, Brett Taylor, Larry Allison, Jr., Linda Sosniak,

 Chase Kelch, Jim Crawford, Howard Fry, III

**MEMBERS PRESENT VIA CONFERENCE CALL:**

**MEMBERS ABSENT:**  Carl Nolan

OTHERS PRESENT VIA CONFERENCE CALL:

**OTHERS PRESENT:** Shannon Rossman, PCD, John Lavelle, PCD, Tiffany Krajewski, PCD, Joshua

 Billings, PCD, Heather George, PCD, J. Michael Wiley, Solicitor,

 Mike Ruther, Sun-Gazette, Brett Crossley, North Central PA

1. **CALL TO ORDER**

Joe Reighard, Chairman, called the meeting to order at 6:01pm.

1. **MINUTES OF REGULAR MEETING**

Joe Reighard asked for motion to accept the February 18 meeting minutes, Linda Sosniak motion to approve, Larry Allison, Jr., second to approve. Motion carried.

1. **PUBLIC COMMENT ON AGENDA ITEMS ONLY –** None
2. **OLD & FUTURE BUSINESS**

Joe Reighard introduced Chase Kelch as the newest member to the Planning Commission. The Commissioner’s as of March 9, 2021 has appointed him to the Commission. He will finish out the term left by the resignation that was left last month. He will be on the board for this year and hopefully in the future.

1. **ACTION ITEMS**
2. Non-Conforming Uses and Shopping Center Amendment

Shannon briefed the committee on a potentially new development issue with the Zoning Ordinance. The hope is to start discussing so that there will be a quicker response to correct the language change.

Tiffany briefed the commission there was an inquiry from an individual who wanted to possibly subdivision a shopping center. While reviewing the ordinance they determined that the ordinance does not allow anything where there will be a zero setback for this type of request. To subdivide off a section of an existing building there would be no setback under the current bulk standard section. Changing the Shopping Center Use will allow to subdivide shopping centers. The definition of Shopping Center will include entertainment uses, allowing shopping center uses to cross multiple tracks. Owners need to make arrangements for maintenance of the structure.

There will be three supplemental controls to address concerns relating to dividing structures.along “common party walls”.

1) Minimum yard setbacks will not apply to the “common party wall”.

2) Require sub dividers to provide easements and covenants to address issues such as corridor, shared parking access, maintenance of landscaping, building maintenance, access thru corridors where needed and any other agreement needed for maintenance or infrastructure associated with the shopping center.

3) Allow building codes 10 days to comment on the permit and indicate that the zoning permit will be conditioned on building a code approval and the applicant won’t be able to see certificate of occupancy until building code approve the plans.

They reached out to Codes Inspection Inc. for in-site into what comments might be expected. Building codes will want the applicant to provide a firewall in the structure.

Shannon stated changing the ordinance will apply to malls, strip malls and anything that was originally being built under Common ownership more flexibility in the use of those structures. Common utilities going thru is a building code issue, part of building codes and Land Development process as well. There will be a process put in place for municipalities to comment and give input.

Tiffany presented to the commission that there is a township that would like to build an addition onto one of their structures. During a review process, it was determined that it was an institutional use, which is allowed in the district by Special Exception. The use would be nonconforming since the expansion of the use was over 2000 sq ft this would have to be approved by Zoning Hearing Board. To address the issue they added an amendment to 11400 of the ordinance that addresses “*extension or enlargements of nonconforming municipal uses any size to allow them to be approved by the Zoning Administrator as long as they didn’t create any new nonconformities”.* Thiswill allow a simpler review process for the municipalities where there uses were established prior to the ordinance.

1. **SUBDIVISION & LAND DEVELOPMENT PLANS**
2. Multi-Lot Presentations - *None*

1. Land Development
2. Cogan House Township

Cogan House Township Building Addition

Institutional Land Development

Chris Hodges presented to members a proposed Land Development in Cogan House Township for a municipal building addition. They will construct a 3769 sq. ft. building that will be added to the existing salt shed this will be used for garage bays and recycling bays. Current Block shed building will be raised. There will be a required buffer yard with the project in which Cogan House Supervisors reviewed the land development and recommended approval with the following comment:

 “*The proposed landscaping area is in conflict with sight distance, extending this up the hill would greatly improve this sight issue*.”

Chris reviewed with members the conditions and noted condition #2 has been met.

Joshua Billings asked Howard Fry, III, LCPC member and township representative whom is a township supervisor, if the township had any issues with the conditions that were set. Howard Fry, III stated they have no issues with the conditions.

Brett Taylor motioned to approve with conditions, Larry Allison, Jr. second motion. Motion carried.

1. Piatt Township

Lycoming County Dept. of Public Safety

Communication Tower

Joshua presented to members a proposed plan from Lycoming County Dept. of Public Safety for a Communication Tower. The development proposed is on an existing 91.24 acre parcel. The tower stands about 250 feet tall with other structures on the pad, which will be 20 x 16. Access to the Tower will be via Hesker Hill Road which will then run thru the farm field to the Tower. The Communication Tower falls under County Ordinance, which is approved thru a Special Exception in front of the Zoning Hearing Board, this has already been approved. Dean Edwards has done a lease agreement on his property.

Beth spoke on behalf of the County Dept. of Public Safety, the County is open to expand leasing on the tower, which will in turn be 50% to owner and 50% to the county.

Joshua stated Plans were forwarded to Piatt Township but has not received any comments. He also stated thru the Special Exception the township had no comment although after plans were sent Mr. Edwards had some concerns on the stormwater, which was worked out with the Department of Public Safety. They did not receive an official response from the township that would normally say “no comment” or box checked. Joshua noted that with other municipalities they have done other forms of guarantee that will come up with an agreement.

Larry Allison, Jr., motioned to approve with conditions, Brett Taylor second motion. Motion carried.

1. Muncy Township

VIWY, LLC

Lycoming Crossing Restaurants Land Development

Joshua presented to the commission a proposed plan from VIWY, LLC (Vision Group Ventures). The plan address two restaurants, Starbucks in half of the site and another fast food restaurant in the other half of the site. The restaurants will be constructed on an existing approximately 2.7 acre graded pad site made available as part of the approved Lycoming Crossing Shopping Center.

The right side will consist of Starbucks that is being proposed as 1,992 sq. ft. building with the other restaurant being 5,153 sq. ft. Each have their own parking areas and each own drive thru. Starbucks will be built first there is an agreement to proceed, the other structure is on hold. They are requiring a financial guarantee that will cover the improvements on both sites.

Larry Allison, Jr motioned to approve with conditions, Jason Bogle second motion. Motion carried.

  C. Single-Lot Ratifications

There were no questions from members on the six single-lot ratifications.

 Brett Taylor motion to approve, Howard Fry, III second motion. Motion carried.

1. **COMMITTEE REPORTS/DISCUSSION**
2. By Laws

Jason Bogle updated board members on the preliminary draft of proposed updates was distributed by attorney Wiley that went to the Planning Commission and Planning Department. Moving forward they will take time between now and the April meeting to collect input from the Commission. The first reading will be at the April meeting. They will hold a 30-day public comment period which will be between April and May meeting to have the By Laws enacted in May. The amendments cover three different areas; Planning Commission appointing recommendations, Planning Department Planning Commission Engagement and Planning Department performance. This will help to facilitate the Planning Commissions efforts by taking a proactive strategic plan throughout Lycoming County.

Joe thanked Jason, Larry and Brett for their time and efforts they put into the By Laws Ad Hoc Committee.

1. **MONTHLY REPORTING**
2. PCD Staff Meeting Report
3. Land Use Staff Meeting Report
4. UPI Reports
5. **DISCUSSION ITEMS**
6. Bastress Township – Noise Exemption

Tiffany informed the committee they are working on an issue in Bastress Township. The

 Township and Nippenose Tavern contacted Tiffany in regards to noise complaint. PCLB has

 noise regulations and has been watching them since. Thru a process the township can

 issue an exemption from the PCLB requirements for noise regulations that can be enforced

 in their place. Under the Lycoming County Zoning Ordinance Partnership the county does

 provide zoning services for Bastress Township. Tiffany volunteered and is working with the

 township and solicitor to put together a packet with hopes to have a public meeting in the

 next month to get the petition out and to have PCLB action soon.

1. Annual Report

Shannon let the committee know that the annual report is a draft, she has her message, the chairman’s message and a section on the future to be completed. The commission can look thru the draft to give comments before being fully presented in April.

1. **PUBLIC COMMENTS -** None
2. **ADJOURNMENT**

Joe Reighard asked for a motion to adjourn, Brett Taylor motion to approve, Howard Fry, III, second motion. Motion carried.

Meeting adjourned at 7:13 pm.

Respectfully submitted,

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 Shannon L. Rossman, Director Carl Nolan, Secretary

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