

JACKSON TOWNSHIP PLANNING COMMISSION MINUTES

September 15, 2011 & September 29, 2011

A meeting of the Jackson Township Planning Commission was held on September 15, 2011. Jeffrey Thomas called the meeting to order at 7:04 PM.

Members present: Jeffrey Thomas, Brad Rustine and Dale Eagon. Mark Werkeiser and Jan Anglemire were not in attendance.

Sal Caiazzo, P.E. from Hanover Engineering and Michelle Arner, SEO and Zoning Officer were present. Carson Helfrich, community planning consultant, was also present.

No public comment on agenda items.

Minutes of May 19, 2011

Brad Rustine motioned to approve the Minutes of May 19, 2011; second by Dale Eagon, all aye.

Minutes of July 21, 2011

Dale Eagon motioned to approve the Minutes of July 21, 2011; second by Brad Rustine all aye.

Old Business: none

New Business:

Review of Proposed Comprehensive Zoning Ordinance Update

Carson provided a brief overview of the development of the proposed Zoning Ordinance. Comments from the members related to a number of items. Following are items discussed with possible concerns and clarification noted.

- Zoning Map change in the area of Cays Road from the C (Commercial) District to R-1 (Rural Residential) District. Jeff believes this may adversely affect existing businesses in this area.
- Removal of the duplex option in the R-1 Zoning District. Map
- Comments about wind generation included a cautious view from Dale. Carson indicated they can not be restricted and the ordinance does provide for setback and height limitations. There was additional discussion about wind and solar energy and suggestions to encourage solar by allowing solar farms in more than just the industrial zone. Sal added that stormwater runoff may be a consideration with solar panels.
- Nonconforming use/substitution was noted by Jeff. 302.4
- Jeff noted that the Camp Akiba property rezoning to R-1 may result in high density development; a RC (Recreation Commercial) may be better. Map
- Jeff noted that one year to rebuild after a fire is often not enough time and two years would be better. 302.5.A.2
- The addition of two or more uses on a parcel was favorable. 302.7
- Yard Sales, Pools, Vehicle Length and Recreation Vehicles were discussed and clarified

- No Impact Home-Based Businesses permitted in all Zones is pursuant to Municipalities Planning Code. Expanding Home Occupation to more Zoning Districts, such as R-1, should be considered, members noted.
- Raising of livestock in the R-1 Zone does not seem to be clearly addressed. Concern the Ordinance will not allow the keeping of farm animals.
- Church in Residential Zone – not permitted. *Reason is the modern church is more like a business and increase in traffic.*
- Impervious Area in C Zone is 75% - seems like a lot. *Reason is okay to have concentrated development so long as other provisions are satisfied, such as stormwater management.*
- Setback for fence indicated as 1 foot, may need more, possibly revisit this. 1001.1
- No Parking between structure and street in C Zone may be concern. *Since this reads the same in the SALDO, this requirement can be waived by Supervisors if appropriate.*
- Show location of isolated trees for special exception and conditional uses.
- Maintain 3 feet from customers – is this needed? 1202.3.L
- Kennels and Kennel Waste. 1203 *Kennel waste is regulated by DEP*
- Antennas on Single Family or two family not permitted. 1210.1.A *(check definition)*
- Drive In - Fast Food must have access to arterial or collector road. 1238.1 *Clarification: such as a State Road*
- Continued discussion about solar farms in the R-1 Zone, consider permitting with minimum acreage.
- Wind Energy applicant to participate in PA Game Commission Voluntary Cooperative Agreement. 1248.5 *This helps reduce bird damage.*
- R-1 Zoning District requires Conservation Subdivision Design if 8 acres or more. Conservation Design is optional under 8 acres. 1303.4 *Clarified, OK*
- Dwelling setbacks from external streets, 100' and internal streets, 20' clarified. 1307.7
- Registration of Non-conforming uses. 1407. Suggestion to send form letter to affected property owners, noting permitted expansion percentage.
- Additional discussion and concern about changing areas of C Zone to R-1 Zone

After discussion, at 9:30 pm, the members agreed to continue this meeting on September 29, 2011 at 7:00 PM

September 29, 7:00 PM, meeting continues:

All those in attendance on September 15 are present. Members continued to review the proposed ordinance and offered the following:

- Typo error on page four, citing reference section, has been previously corrected. *Carson indicated references to sections will be checked again throughout the entire document.*
- Satellite dishes to be considered accessory structures and no permit required. 302.8.C. *Most are smaller now, attached to buildings and not a concern.*
- Illumination of a billboard within 400' of a residence not permitted. 1008.8.C.6.d *This distance was part of a lighting study from the Natural Lands Trust.*
- Trip Generation published by the Institute of Transportation Engineers. 1012.2 *This manual is a study of traffic impact for common uses.*
- The PA Crime Code or Obscenity Code? 1202.2.F. *These codes are online.*
- Setback requirements for adult businesses. 1202.2.3.A&B *These setbacks do not severely restrict the location of an adult business and are more or less a carry over from the previous ordinance.*
- Do we have Communication Towers in Jackson Township? 1210 *There are several towers on Camelback Mountain, within the State Game Lands.*
- Must we allow junkyards? 1220. *This use must be provided for. . .*
- Group Quarters– where is this allowed? Are we opening this use up to residential zone? *Not permitted in R-1 Zone, is a conditional use in the V and C Zoning Districts.*

- Will burning still be allowed? *Burning continues to be a 'hot topic' and will likely be addressed in a future nuisance ordinance.*
- Easements – Definition. Clarification of how easements are identified. *Deeds and recorded plans identify easements. Examples of easements include utilities and driveway locations.*
- Reference to the MPC. *The Municipalities Planning Code is available on line.*
- Political Signs Clarification. *A type of temporary sign, may be placed 30 days prior to the date of the election and shall be removed within 7 days following.*
- One member believes all residents should be notified about the proposed ordinance.
- One member strongly suggested the R-1 Zone is too restrictive. For instance, the keeping of animals such as chickens, rabbits and pigs is not addressed and therefore not permitted. *Discussion included the current ordinance which states 'a reasonable number of domestic animals is permitted' and perhaps similar language can be incorporated into the new ordinance.*
- A place of worship is a conditional use in the C Zone, while a tavern or tattoo parlor is a permitted use in this zone. *Discussion included looking at conditional uses and perhaps some can be moved to permitted use.*
- Is a residential subdivision possible in the I (Industrial) Zone? *Up to two lots may be subdivided from the parent tract for residential use in the I Zone.*
- Camps in the R-1 zone are restricted for growth as a non-conforming use. *Perhaps camps could be considered a permitted use in this R-1 Zone with a minimum lot size.*
- It was noted that the Commercial and Village Zones seem rather small.
- There was a suggestion about perhaps allowing commercial stables in the R-1 Zone with a minimum lot size. There was continued discussion about farm animals and general zoning of certain districts.

Jack Rader joined the discussion. There was discussion about continuing the process to refine the ordinance and address the concerns itemized above. It was noted that the Supervisors are committed to addressing the concerns of the Planning Commission

Jeff Thomas made a motion to make no recommendation regarding the adoption of the proposed Zoning Ordinance at this time. Second by Dale; all aye. Motion passed.

Brad Rustine motioned to adjourn at 9:03 PM, second by Jeff Thomas.

Respectfully submitted,

Michelle Arner

Recording Secretary