

**REGULAR MEETING & WORK SESSION**

**1. CALL TO ORDER – REGULAR MEETING**

The June 6, 2011 Regular Meeting was called to order at 7:36 PM by Chairman Mr. Jeff Hermann. Members Jeff Kokoskie, Chuck Seighman, Paul Silvis, Sharon Bressler, and Kate Domico also attended. Staff members present were Brent Brubaker, Township Engineer; Pat Hubert, Assistant Township Engineer; Ken Soder, Zoning Officer; and Joe Price, CRPA Planner.

**2. ITEMS OF CORRECTION**

There were no additions or deletions to the agenda.

**3. APPROVAL OF MINUTES**

Meeting minutes from the May 2, 2011 were brought before the Planning Commission for approval.

Ms. Sharon Bressler made a motion to approve the meeting minutes as submitted. The motion was seconded by Ms. Kate Domico. The motion passed with a vote of 6-0.

**4. PUBLIC COMMENTS**

There were no public comments at this point in the meeting.

**5. TEMPORARY USE PERMIT: PENN STATE FEDERAL CREDIT UNION (PSFCU)**

Mr. Joe Price introduced the request from PSFCU for a temporary use permit to display vehicles and motorcycles for sale on their premises once a month, beginning in May 2011 and ending in November 2011. The vehicles and motorcycles would be displayed in the grassy areas of the site and would not exceed a total of five (5).

Permits for similar sales have been provided by Patton Township in past years without any problems, thus Township Staff recommends approval with the condition that the applicant specify the days and hours of operation.

Mr. Jeff Kokoskie made a motion to recommend approval of the Temporary Use Permit. The motion was seconded by Ms. Sharon Bressler. The motion passed with a vote of 6-0.

**6. SEWAGE PLANNING MODULE: GREEN-ROGERS ESTATE**

Mr. Joe Price introduced the Sewage Planning Module for the Green-Rogers Estate. During the January 26, 2011 meeting of the Board of Supervisors, the Board approved, with conditions, the related subdivision for the site.

Act 537 Sewage Facilities' planning is the duty of local municipalities and each municipality is required to have an Act 537 Official Sewage Facilities Plan to adequately address sewage disposal needs. In reviewing a Component 1 Sewage Planning Module, a municipality is provided with a document to satisfy the sewage planning for subdivisions of 10 lots or less for single-family dwellings to be served by on-lot disposal. All soil testing is field verified by the Township Sewage Enforcement Officer.

Township Staff has reviewed the Sewage Planning Module and finds it to be acceptable as submitted.

6. **SEWAGE PLANNING MODULE: GREEN-RODGERS ESTATE (cont.)**

Mr. Paul Silvis made a motion to recommend the Sewage Planning Module be forwarded to the Board of Supervisors. The motion was seconded by Mr. Jeff Kokoskie. The motion passed with a vote of 6-0.

7. **WIND ENERGY FACILITIES: DRAFT REGULATIONS**

Mr. Joe Price noted that over the course of the past several months, Township Staff has prepared draft regulations pertaining to wind energy facilities. As was determined during the January 10, 2011 meeting of the Planning Commission, the purpose of the regulations is to provide a set of development standards for both Residential Wind Energy Facilities (RWEF) and Commercial Wind Energy Facilities (CWEF).

Township Staff and the Planning Commission previously reviewed source material which, in part, offered a comparison of existing local regulations, provided model regulations and suggested standards, and illustrated wind speed mapping along with data relevant to assessing the wind energy resource available in Patton Township. Although the draft purposes standards for the regulation of CWEF's, the available wind speed data indicates that the wind resource in the Township is not sufficient to encourage the installation of CWEF's in their current technology. The standards proposed for RWEF's are intended to impose the least regulatory burden possible so as to encourage the installation of RWEF's but yet also provide adequate protections for the public health, safety, and welfare. The regulations are proposed to be included in Chapter 175: Zoning.

At the May 2, 2011 Planning Commission Work Session, the Planning Commission reviewed an initial draft of proposed regulations – Article VIII C: 175-40.7: Wind Energy Facilities. The members present formed a consensus to forward the draft, as written, to the next regularly schedule meeting of the Planning Commission for the consideration of a recommendation to be made to the Board of Supervisors.

In addition to any other matters discussed and in consideration of comments received, it is requested that the following specific issue also be discussed:

- Landowner Notification: Regarding the proposed requirement for landowner notification pertaining to RWEF's, it is suggested that the Planning Commission specifically address the related proposed wording.

Discussion relevant to the content of the regulations began with Mr. Chuck Seighman expressing concerns over the proposed section allowing exemptions from certain standards of the ordinance. The matter of whether or not an exemption agreement could be changed in the future as ownership and/or relationships change was also discussed. Township Staff pointed out that an agreement could not be changed if it would create a non-compliance with the code. The Planning Commission decided to keep the exemptions as written but also to include additional wording that would provide Township Staff with direct review and approval oversight of the contents of an agreement.

The Planning commission also agreed upon proposed alternate clearance and climb prevention standards for VAWT's, keeping the signal interference requirement as written, and keeping the landowner notification requirement as written.

7. **WIND ENERGY FACILITIES: DRAFT REGULATIONS (cont.)**  
Township Staff will make the noted revisions, as well as a few minor administrative revisions, and present a final draft during the July 11, 2011 regular meeting.
8. **CURRENT WORK TASKS**  
There were no comments from the Planning Commission on the current work task items.
9. **STATUS ON PENDING ITEMS**  
There were no comments from the Planning Commission on the pending work task items.
10. **REPORTS**  
Mr. Joe Price reported on Halfmoon-Patton Area Plan.
11. **OTHER BUSINESS**  
There was no other business brought before the Planning Commission.
12. **ADJOURN – REGULAR MEETING**  
The Regular Meeting was adjourned at 8:56 PM
13. **CALL TO ORDER – WORK SESSION**  
The June 6, 2011 Work Session Meeting was called to order at 8:56 PM by Chairman Mr. Jeff Hermann. Members Jeff Kokoskie, Chuck Seighman, Paul Silvis, Sharon Bressler, and Kate Domico also attended. Staff members present were Brent Brubaker, Township Engineer; Pat Hubert, Assistant Township Engineer; Ken Soder, Zoning Officer; and Joe Price, CRPA Planner.
14. **EXCAVATIONS: DRAFT REGULATIONS PERTAINING TO CONSTRUCTION ACTIVITIES AND PYRITIC ROCK**  
Mr. Price noted that over the course of the past year and in relation to the issue of concern, two different sets of draft regulations were considered by the Planning Commission.  
  
Firstly, the Bald Eagle Ridge Overlay District (BERO), which offered a form of comprehensive ridge protection regulations, did not move forward. Instead, Township Staff was instructed to prepare regulations that would deal exclusively with the potential hazards associated with disturbing and exposing pyritic/sulfuric rock during a construction process. The main result of which could be the formation of Acid Rock Drainage (ARD).  
  
During a work session held on February 7, 2011, the Planning Commission considered draft regulations titled “Deep Excavations”, which regulated construction activities on the basis of the proposed depth of excavation. At that meeting, it was determined that the concept of using depth as a regulatory mechanism is flawed in that a specific depth of excavation could not be applied uniformly throughout the Township. Township Staff was directed to propose a different regulatory mechanism and prepare a new draft.  
  
During the past several months, Township Staff continued to work closely with renowned geologists, Drs. David “Duff” Gold and Arnold Doden, in the formation of a new draft. As noted above, the draft is simply titled “Excavations”.

14. **EXCAVATIONS: DRAFT REGULATIONS PERTAINING TO CONSTRUCTION ACTIVITIES AND PYRITIC ROCK (cont.)**

The regulatory elements of the new proposal have their basis in specific soil types, topographic settings and their underlying conditions, and a set of inspection and testing procedures intended to identify existing and/or the potential for ARD. In addition, the regulations are proposed to be included in Chapter 153: Subdivision and Land Development rather than in Chapter 175: Zoning. Therefore, the standards will apply not on the basis of a specific zoning district, but on the basis of specific criteria applicable to evaluating a site for ARD. The standards will pertain primarily to non-residential construction activities and multi-family activities when the criteria are met. Small-scale residential activities will be exempt.

Upon review of the proposed regulations and associated appendices, the Planning Commission formed a consensus to place the draft, as written, on the agenda for the July 11, 2011 regular meeting. At that time, the Planning Commission will consider making a recommendation to the Board of Supervisors.

15. **CENSUS DATA ANALYSIS**

Mr. Joe Price noted that at the request of Mr. Doug Erickson, Township Staff has been in the process of evaluating the 2010 Census Data in relationship to the 2000 Census Data. The data is being further evaluated on the basis that the actual total population count resulting from the 2010 Census differs significantly than the most recently available estimates published by the U.S. Census Bureau.

According to the U.S. Census Bureau, the total population in Patton Township in the year 2000 was 11,420; and in the year 2010 it was 15,311. The estimated total population for the Township in 2009 was 13,286. In looking at the population estimates on a year-to-year comparison, the expected increase in population for the Township is generally around 1.5%, plus or minus. Therefore, in using the 1.5% figure and the year 2009 estimate as our base, we could reasonably expect the estimated population for the year 2010 to be approximately 13,500. At that, we can see that the actual population in 2010 is elevated by a total of roughly 1,800, plus or minus, in comparison to what was expected.

In order to compare the data for each of the two census years, it is necessary to analyze it on as common a basis as is possible in order to produce accurate results. Census data is produced for a number of geographic and political subdivisions. The smallest of such subdivisions is the census block. However, with increasing populations, the Census Bureau must also adjust its census blocks from one census to the next. Therefore, Township Staff has analyzed census blocks in customized groupings referred to as Common Data Areas (CDA). These CDA's consist of a group of census blocks in the Township that share common boundaries so that the data within the CDA's can be accurately compared, regardless of whether or not a particular 2010 census block is the same as it was in 2000. The CDA's have been developed by Township Staff for analysis purposes only.

16. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

17. **ADJOURN – WORK SESSION**

The Work Session Meeting was adjourned at 9:31 PM.