

**THESE MINUTES ARE UNOFFICIAL UNTIL APPROVAL AT THE FOLLOWING MEETING.
MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING**

Monday, December 8, 2008

Pine Township Municipal Building

This session of the Township of Pine Planning Commission was called to order at approximately 7:10 p.m. by Pasquale Avolio.

Members in attendance were: Pasquale Avolio, Chair; Michael Hansen, Vice-Chair; Joel Dennison; John Lombardo; R. Jeffrey McGeary; Shannon Miller-Yeakel; and Garrin Welter. Also present were Larry Kurpakus, Director of Code Enforcement and Land Development; and Tim McClelland, Lennon, Smith, Souleret Engineering, Inc.

There were approximately five visitors present.

Mr. Avolio explained that the Planning Commission is a recommending body and all approvals must be received from the Board of Supervisors.

PLEDGE OF ALLEGIANCE

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Motion was made by Mr. Lombardo and seconded by Mr. McGeary to approve the minutes of the November 10, 2008 Planning Commission meeting. The aye vote on the motion was unanimous. Motion carried.

VISTA ESTATES SUBDIVISION

Mr. Kurpakus observed that a representative from Richland Properties was not present.

The Planning Commission agreed to defer review of the Vista Estates Subdivision to the end of the agenda.

ATLAS ELEMENTARY ACADEMY

Mr. Kurpakus reported that the Atlas Elementary Academy is presenting a sketch plan to convert the church at 210 Pearce Mill Road to an elementary school.

Mr. Maximilian Mavrovic, Mavrovic Architects, noted that the applicant, Lisa Milan, was not able to attend that evening. He introduced an Atlas Elementary Academy teacher, Jamie Pugliese, and their real estate agent, Heidi Powell. Mr. Mavrovic advised that the school has a tentative sales agreement for 210 Pearce Mill Road and is in the process of obtaining a survey. He referred to Township Code, which permits schools as a conditional use in the "R-1" Zoning District. He noted that the conditional use requires a minimum of one acre, but the existing use is non-conforming and he believed that status will also apply to the school. Mr. Mavrovic expressed their hope to retain the gravel parking area and pave only a drop-off area. He pointed out areas indicated for recreation and buffer. Mr. Mavrovic then explained the proposed interior layout for restrooms and two classrooms for approximately sixty students. He added that the

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ATLAS ELEMENTARY ACADEMY (Continued)

basement will be upgraded in Phase 2 to a multi-purpose room, although those restrooms will be upgraded in Phase 1.

Mr. Dennison expressed his support of the use, although he was concerned with parking and access. He stated that the proposed parking provisions were inadequate and he was concerned about the traffic flow during the times of drop off, pick up, and for special events.

Mr. Mavrovic questioned how many parking spaces would be required and Mr. Dennison suggested that he consult with staff to confirm how the Code would address that issue.

Mr. Kurpakus noted the lack of a parking plan for the current use as a church. He added that parking has not been an issue due to the small number of attendees.

Ms. Powell advised that the school has discussed a contingency plan for special events. She explained they would either be held at the Treesdale Community Center or staggered at the school.

Mr. Hansen expressed his positive view for the building's use as a school, although he was also concerned about parking and traffic flow.

Mr. Mavrovic stated that the plan could be modified to provide additional parking.

Mr. Welter echoed the concerns of parking and traffic flow.

Mr. Lombardo questioned if PENNDOT would require a Highway Occupancy Permit for the use and Mr. Kurpakus confirmed they would. Mr. Lombardo pointed out that the school's growth would be restricted by the lack of parking. He added that the gravel parking lot was also an issue.

Mr. Kurpakus clarified that the Code permits gravel parking lots with only five or less parking spaces.

Mr. Lombardo pointed out that substantial buffer would be required in the back, due to the adjacent residential use.

Mr. Dennison stated that waivers and/or variances may be necessary.

Ms. Miller-Yeakel questioned if the Code would permit location of the play area in Treesdale's open space.

Mr. Kurpakus stated that open space is typically dedicated for passive recreation only.

ATLAS ELEMENTARY ACADEMY (Continued)

Mr. McGeary reiterated the traffic and parking concerns. He stated he was not sure if Treedale residents would grant permission for the school's use of their open space.

Mr. Avolio recommended that the applicant consult with PENNDOT on their requirements for the site. He noted that the property is currently tax exempt and questioned if it would be so under school use.

Mr. Mavrovic replied that he believed the property would no longer be tax exempt.

Mr. Avolio expressed the need for more detail on the preliminary application so an effective review could be completed.

Ms. Hope King, Church of Christ Scientist, remarked that the property's use is very limited and they felt a private school would be a good use. She added that cars and buses access the site at this time.

CHAPTER 84 (ZONING) REVISION

Mr. Kurpakus reported that the proposed amendment to Chapter 84 (Zoning) of the Code was written to replace certain provisions to further define indoor and outdoor "kennel" uses and will allow indoor kennels as a conditional use within the "C-1" Zoning District.

Mr. Hansen questioned the origination of the proposed Code revision.

Mr. Kurpakus explained that K-9 Kingdom is an existing Pine business which has submitted a formal request for an ordinance revision to permit kennel use in the "C-1" Zoning District. He added that the applicant submitted a proposed ordinance which was reviewed by staff and amended by the Solicitor.

Mr. Dennison questioned how a buffer could be required on all four sides if the kennel is located in a multi-use building.

Mr. Kurpakus surmised that the buffer would only be required for an outdoor kennel.

Mr. Dennison questioned how that would apply to a kennel that was both indoor and outdoor.

Mr. Kurpakus surmised that it would have to be designated as one or another.

Mr. Dennison suggested that the ordinance address that issue.

Ms. Shannon-Yeakel expressed her opinion that the use be compatible to a similar use such as an animal hospital or veterinarian, which Mr. Lombardo seconded.

CHAPTER 84 (ZONING) REVISION (Continued)

Mr. Avolio suggested that any additional comments be referred to Mr. Kurpakus before the January meeting.

Motion was made by Mr. Dennison and seconded by Ms. Miller-Yeakel to table consideration of the proposed amendment to Code Chapter 84 (Zoning). The aye vote on the motion was unanimous. Motion carried.

VISTA ESTATES SUBDIVISION

Mr. Kurpakus observed that a representative of Richland Properties was not yet present. He reminded that the Vista Estates Subdivision was tabled at the November 10, 2008 meeting, due to concerns on the proposed relocation of an existing lot line between two existing lots on 14.29 acres at the end of two stubs of Baur Drive. Mr. Kurpakus pointed out that the revised plan now shows the previously indicated easement as a publicly dedicated right-of-way.

Mr. McClelland referred to his review of December 8, 2008 and noted that the plan still does not meet the Ordinance requirement that all lots abut on at least one public street.

Mr. Mike Perry, 667 Baur Drive, questioned several indications on the plan that Richland Properties' owned of a portion of his property. He stated that he did not have a problem with providing that exchange of property with Richland Properties, although there is no agreement for that at this time. Mr. Perry pointed out that the proposal would provide access to public water and sewer to several residents on Baur Drive and would benefit him in a land trade.

Mr. Avolio stated he did not feel the Planning Commission could review the submission without representation and with the plan indicating property not in the applicant's possession.

Mr. Dennison pointed out that although a right-of-way is indicated on the plan, it does not indicate there will be a road.

Mr. Avolio stated that a boundary survey is needed.

Motion was made by Mr. Lombardo and seconded by Ms. Miller-Yeakel to recommend to the Board of Supervisors, denial of the Vista Estates Subdivision, due to the following reasons: 1) December 8, 2008 review of Lennon Smith Souleret Engineering. 2) Non-possession of property indicated on the subdivision plan. 3) Lack of plan note indicating that Parcel "B" is not be further subdivided or developed until public road access and improvements are provided as required by Code. 4) Lack of plan note indicating that Parcel "A" is not buildable or developable and may only be developed when combined with an adjoining parcel to create a conforming buildable lot. 5) Septic field not indicated on the plan. 6) Note "B" on Sheet 2 of 2 is not applicable as four lots are not being created. 7) Right-of-way should be designated as being offered for dedication as future public roadway. The aye vote on the motion was unanimous. Motion carried.

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COMMUNITY CENTER CHANGING ROOMS

Mr. Kurpakus reported that the Township has secured a grant from the Department of Conservation and Natural Resources to assist in the further development of the changing rooms within the Community Center. He explained that one of grant requirements is that the local planning agency be provided with the information to assure that the improvements are in accordance with the short and long term recreational objectives of the region.

The Planning Commission members had no remarks on the proposed Community Center changing rooms.

ADJOURNMENT

Motion was made by Mr. Lombardo and seconded by Mr. Welter to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 8:20 p.m.