

February 3, 2021
6:30 PM

The reorganization meeting of the Monroe Township Planning Commission held virtually via GoToMeeting was called to order by Michael Pykosh.

On the motion of Mr. Brymesser, and seconded by Mr. Swartz, and by unanimous vote of the members, it was duly RESOLVED to select Sharon Nelson as Chairperson of the Planning Commission for 2021. The meeting was turned over to Ms. Nelson.

On the motion of Mr. Swartz, and seconded by Mr. DeNicholas, and by unanimous vote of the members, it was duly RESOLVED to select Sheldon Brymesser as Vice Chairman of the Planning Commission for 2021.

On the motion of Mr. Brymesser, and seconded by Ms. Nelson, and by unanimous vote of the members, it was duly RESOLVED to select Mark Swartz as Secretary of the Planning Commission for 2021.

The regular meeting of the Monroe Township Planning Commission was called to order by Chairperson Nelson. The Pledge of Allegiance was said by all.

ATTENDANCE

Sharon Nelson, Chairperson
Sheldon Brymesser, Vice-Chairman
Mark Swartz, Secretary
Dave DeNicholas
Michael Mira

Greg Rogalski, Engineer
Michael Pykosh, Solicitor
Holly Wood, Recording Secretary

MINUTES

On the motion of Mr. Swartz, and seconded by Mr. Brymesser, and by unanimous vote of the 2020 Planning Commission members, it was duly RESOLVED to approve the minutes of the December 2, 2020 regular meeting.

CORRESPONDENCE

None

AUDIENCE PARTICIPATION

None

UNFINISHED BUSINESS

456 Criswell Drive – Justin Doty of Frederick, Seibert & Associates, Inc. and Mr. Castle, property owner were in attendance to discuss this plan. Mr. Doty noted that that this plan would create just one new lot that already included a garage with the plan to convert the garage into a residential building. There was an issue with the sewer connection to the SMTMA main line, that needed to be and has been resolved. They hope to receive a recommendation of approval this evening to move this plan forward for final approval.

Mr. Rogalski said he could confirm that the sanitary sewer connection issue was resolved and revised plans have been submitted and reviewed. Mr. Pykosh and Mr. Stoner both expressed no concerns with the current plan, and no Planning Commission member had any additional questions.

On the motion of Mr. Mira, and seconded by Mr. Swartz, and by unanimous vote of the members it was duly RESOLVED to recommend approval of the plan contingent on the satisfaction of the Engineer’s comments dated January 25, 2021.

NEW BUSINESS

Brindle Road – Marchi Farm Plan

Elliot Shibley of Integrated Development Partners and Jim Hoffman, property owner, were in attendance to present the plan. Mr. Shibley noted that they are not looking for a recommendation of plan approval tonight, they are simply looking to present the information and obtain a recommendation of approval for waiver request # 4 with regard to the cul-de-sac requirements.

Mr. Shibley stated this plan is for 14 lots from just over 1 acre up to 5 acres, with a single southwest access point to Brindle Road. All lots would have their own wells and onlot septic systems with 2 shallow stormwater basins in the development to address water runoff, with an emergency access drive to the development preferred onto Strock Drive.

Mr. Rogalski noted that the waiver request with regard to the cul-de-sac is due to the cul-de-sac drive being around 2,000 feet and serving 14 lots where our ordinance requires a loop street. Mr. Rogalski is ok with the waiver request since the emergency access is also being proposed and the lot number is only slightly over the 11-lot limit. Mr. Rogalski noted that from a zoning perspective, the plan is compliant with our ordinance, single family homes are allowed in the agriculture zoning area. Mr. Rogalski explained that a hydrogeologic study was completed

to address what impact onlot septic systems and nitrates would play on the ground water; lots under the 3.3 acres suggested by the study may require special onlot systems which will require maintenance agreements and such, but generally the plan complies with our requirements. It was noted that the emergency access plan will require easements among neighbors, and the cul-de-sac is designed with rolled curbs that help protect the edges of the roads in the long run.

Mr. Rogalski noted that the Stormwater plan is still in the review process, but the plan is for two stormwater basins situated in areas of existing low spots and closed depressions. The natural depressions assist in creating shallow basins. Geotechnical studies were completed showing sinkhole concerns due to limestone areas, but we know the Brindle Road and Clouser Road areas are already known for these sinkhole risks.

Mr. DeNicholas asked about the alternative septic systems, will they require on-going maintenance beyond the traditional systems and will regular nitrate testing be required? Mr. Rogalski stated that yes, regular maintenance will be required and some type of guarantee will need to be established. With regard to regular nitrate testing, that will not be required.

Mr. Brymesser complimented the applicant for their plan presentation, but questioned the basin seed mix as it may be better to explore other options that are more appealing to a residential neighborhood. Mr. Shibley said that the noted mix is not set, they are open to other options may opt for a low grow mix that can be mowed more often and give a more yard look. Mr. Brymesser questioned whether there was an issue with the Clean and Green rollback. Mr. Shibley said they have not addressed the Clean & Green roll back to his knowledge. Mr. James Hoffman of the development group stated that he believes the Clean & Green issue has been addressed by his office.

Mr. Swartz questioned the need for a cul-de-sac and why a waiver. Mr. Rogalski noted that the proposed cul-de-sac length is nearly 2,000 feet versus the allowed provision in our ordinance being only 500 feet. He also noted that cul-de-sac length provisions are very common, so as not to create a giant dead with no reasonable way out in the event of an emergency type event (i.e., sinkhole, fire, medical emergency). Mr. Rogalski stated the cul-de-sac makes more sense than the loop street in this situation because it will force people to a single point of entry to Brindle Road instead of creating 2 separate points of entry to Brindle Road, upsetting existing long term property owners. Establishing the emergency access drive is a key to making this work, and shy the waiver request is valid because the developer could easily make a loop road, but it would create the issues spoke of prior with the 2 access points and disruption to existing neighbors' properties.

Mr. Pykosh asked if the next step is to work with the homeowners along Strock Drive to gain easement agreements for the emergency access if the cul-de-sac waiver was recommended for approval tonight? It was agreed that this would be the next step with the Strock Drive access and easements being the favored plan.

Mr. Stoner had no additional concerns or question.

Ms. Nelson asked about the abandoned railbed and noted the Rail Trail study that floated around in recent years finding that the right of way to the railbed no longer existed, at least in Monroe Township, and was abandoned in this area. She questioned if the County Land Use plan showing the railbed was written prior to the Rail Trail study came up. Mr. Stoner said that the County Land Use plan did indeed exist prior to the Rail Trail study.

Mr. Joe Gifford of 227 Brindle Road invited the Planning Commission members to visit the site. He has 4 children and 2 dogs on the property that abuts the area of the new road entering off of Brindle Road, and he has concerns with the road running so close to the property line. He noted that there is a mature tree line along that property line that he would like to see preserved. Mr. Shibley stated they would be amenable to shifting the road 15 to 20 feet away from such close proximity to the property line to preserve the tree line. Ms. Nelson asked if fencing was a desirable solution to protect the children and pets, and Mr. Gifford said a barrier of some sort would be desirable with the new road.

Mr. William Mullin of 244 Brindle Road expressed concerns with increased traffic at the hill near the entrance of the new road. Mr. Rogalski noted that the site distance requirement is more than meant in that area. He also noted that our ordinance does not require a traffic study if a proposed development will not increase traffic by more than 50 cars, and a 14-home development will be well under that car limit. People are surprised to learn that typical two-lane roads will handle 2200 cars per hour. Mr. Mullin questioned consideration for lowering the current speed limit which is currently 30 mph. Mr. Rogalski noted that lowering the speed limit does not lower driver speeds. Mr. Rogalski anticipates a reduction in driving speeds due to the new intersection being more effective than lowering the speed limit.

Mr. John Leonard of 222 Brindle Road expressed concerns with the speeding in the area and future water run-off. Mr. Rogalski stated that the grading and drainage plan and stormwater management plan being addressed should improve the water run-off issue for the area.

Mr. Mark Eppley of 221 Brindle Road questioned improvements to Brindle Road with this new development. He states that water runs across Brindle onto his property. Mr. Rogalski stated that there are no current plans for improvements to Brindle that are tied to this proposed development, and he was unaware of the stated water issue in that area, but he would investigate the water issue as it pertains to this development plan and the Township's stormwater capital project plans.

Ms. Stephanie Bregel of 99 Brindle Road expressed concerns about the speed and increased traffic on the road due to this new development. Her family has lived in the area for the last 7 years and bought here for the rural setting. She believes the Township is violating their own ordinance by allowing this type of development in the Agriculture Zoning District even though single-family housing is allowed in the zone. Ms. Nelson explained that this concern comes up time and time again, but it is not legal to completely restrict development in any zoning district, and the Township has developed and amended their comprehensive plan and zoning ordinance with balance in mind. Mr. Stoner added that these concerns are heard often especially in more rural settings, but Ms. Nelson is correct in saying that the development cannot

be strictly prohibited. Revising the Comprehensive Plan and Zoning Ordinance can add additional layers or requirements, but it cannot completely restrict development.

Mr. James Bogar of 106 Brindle Road noted that he feels the concerns about speed and drainage expressed are bonafide, and he suggests that the Township provide the whole development plan and all paperwork with regard to the development be posted on the Township website for residents to review at their leisure.

Mr. Rogalski noted that all plans and such are available for review at the Township building during regular business hours, but we would see what we can do with regard to the online access. Mr. Stoner noted that the County, as of last year, has started using an online submission and review process. Access to the County website link at <https://www.ccpa.net/3502/2021-SubdivisionLand-Development-Comment> can be provided on the Township website.

Robert Walton of 165 Brindle Road expressed concerns with the speed limit in this area.

Nicole Reynolds of 188 Brindle Road questioned the utilities plan and lighting situation. Would utilities be underground or overhead, what lighting situation is planned for the street, and will lighting be installed at the intersection of Brindle Road and the new road? Mr. Shibley said the current plan is for the utilities to be installed underground along the roadway, lighting would include lamp posts at each driveway only. Lighting at the intersection of the two roads is not required and not planned at this time.

Ms. Fenninger of 181 Brindle Road stated they are brand new residents to the area and questioned if Strock Drive is the preferred emergency access point and the secondary option that runs beside her property would only be used if easements for Strock Drive cannot be obtained. She questioned how the use of the emergency access will be policed, what will keep people from just using it whenever they want? It was confirmed that Strock Drive is the preferred emergency access route, and hopefully that will work out, if it does not the alternate route will be used. The emergency access route will be a 15-foot gravel drive, which should deter anyone from using it unless deemed necessary as in the event that the regular road experiences a closure for some reason (ie. sinkhole or fire event). Ms. Fenninger also expressed concern with the location of the stormwater basins compared to the property lines. It was noted that the grading for the basin in question was about 10 feet from the property line with the actual basin bottom and storage area being 20 feet from the property line. It was also noted that these basins are shallow, if they were swimming pools in a yard, fencing would not be required.

John Leonard of 222 Brindle Road asked if the .97-acre lot at 189 Brindle Road would be considered for a road into the development, to which the answer was no, it would not be considered.

William Mullin of 224 Brindle Road asked why 14 lots, why not less? Mr. Shibley explained that 14 was the best fit considering all the science. He noted the smallest lot size in this plan is 1.84 acres.

Nicole Reynolds asked about the proposed timeline for construction starts. It was stated that the hope is to start in July 2021, but that is dependent on the timing of all required permitting being issued. She then asked if any construction equipment will access site off of Strock Drive, to which the answer was no, only from Brindle Road access point.

Kyle Fenninger asked about the deadline date noted on tonight's agenda. Mr. Rogalski explained that per the Municipal Planning Code, a municipality is required to act on a submitted plan by a certain date, if they do not act on it, it is deemed approved after that date, so the date listed as a deadline on the agenda is sort of a note to keep things on track. That is not saying that a plan cannot be extended past that deadline date, the deadline makes a municipality act on a plan and not just sit on it.

Jeff Dows of 175 Brindle Road stated he is not a fan of the proposed development and questioned if the right-of-way between 175 and 181 Brindle Road would go away if the easements for the emergency access route are obtained. The answer was yes, the right of way between 175 and 181 would go away, but until easements for Strock Drive are obtained, it will remain as the secondary plan for emergency access. Mr. Dows questioned where the homes that have the stormwater basins on their lots will be built. Mr. Shibley noted those lots are very deep, approximately 500 feet, and homes will be built at the setback line of 75 feet. Mr. Dows asked if a particular builder or home design style has been established yet. Mr. Hoffman said no builder or design style has been established yet, but he anticipates high value, large estate style homes for the area with lamp posts at the driveways as the only night time lighting planned.

Brad Whitlock of 133 Brindle Road expressed concern with the lot sizes and the new septic systems that are a bit uncommon and will require additional homeowner responsibilities. He also is concerned about the location of the new road so near another's property line. He feels less homes on bigger lots would solve many of the concerns expressed.

Ms. Nelson noted that the only action needed this evening is to address the waiver request for the length of the cul-de-sac. She noted that this plan will be on the Planning Commissions agenda again as part of the process and hopes those interested will stay tuned in.

On the motion of Mr. Swartz, and seconded by Mr. Mira, and by a 4-1 vote of the members with Mr. DeNicholas voting no, it was duly RESOLVED to recommend approval of the waiver request for the requirement of (§602.13) stating *permanent cul-de-sac streets shall not exceed a centerline distance of 500' in length or provide access to more than eleven (11) units, be fully paved and provide a snow easement area with the condition that an emergency access be provided.*

Ms. Nelson wished to express her appreciation to all that attended this virtual meeting and for the give and take by those involved in this process.

AUDIENCE PARTICIPATION

Joe Gifford of 227 Brindle Road thanked the Planning Commission and the Developer for hearing them out. He is not a fan of a new development but he wishes to be a good neighbor and hopes to continue the dialogue among neighbors and the developer to resolve some of the concerns.

STAFF COMMENTS

Mr. Brymesser asked about the pending stormwater fee. It was noted that the next stormwater workshop will be held January 29 at 7 PM. Ms. Nelson reiterated her desire to have the Planning Commission read in on the plan as it develops because she has concerns on how it effects the job of the Planning Commission and the existing Comprehensive Plan.

ADJOURN

On the motion of Mr. Brymesser, and seconded by Ms. Nelson, and by unanimous vote of the members it was duly RESOLVED to adjourn the meeting at 8:17 PM.

Respectfully submitted,

Holly Wood
Recording Secretary