

**RICE TOWNSHIP PLANNING COMMISSION
RICE TOWNSHIP MUNICIPAL BUILDING
3000 CHUCH ROAD
MOUNTAIN TOP, PA 18707**

**MINUTES
January 27, 2016**

The regular monthly meeting of the Rice Township Planning Commission was held on Wednesday, January 27, 2016.

ROLL CALL:

	Tom Romanyshyn--Here
	Ann Kijek--Here
	Kevin Rogan--Here
	Ray Fedor--Absent
	Bob Smith--Here

Also in attendance were: Marcia Thomas, Jack Varaly, Dennis Kijek, Don Rowles, Joyce Rowles, Matt McGowan & Associate, Drew Austin and Secretary Alicia Stier

Vice-Chair, Ann Kijek, calls meeting to order at 7:00 p.m.

REORGANIZATION:

Solicitor Jack Dean stated the Board would entertain nominations for temporary Chair.

Tom Romanyshyn nominated Ann Kijek to be named temporary Chair. Seconded by Kevin Rogan. All in favor.

MOTION CARRIED.

Ann Kijek asked the Board for nominations for Chairperson of the Rice Township Planning Commission for the year 2016.

MOTION by Bob Smith, to name Ray Fedor Chairperson of the Rice Township Planning Commission for the year 2016. Seconded by Tom Romanyshyn.

All in favor.

MOTION CARRIED.

Solicitor Dean stated that nominations are closed. Once there is a Motion and a Second, it is voted on. If it doesn't carry, the Board entertains additional nominations.

MOTION by Bob Smith, to name Ann Kijek Vice-Chair of the Rice Township Planning Commission for the year 2016. Seconded by Tom Romanyshyn.

All in favor.

MOTION CARRIED.

Reorganization meeting closed; regular meeting begins.

Alicia Stier was previously appointed Secretary for the Planning Commission.

MOTION TO ACCEPT MINUTES OF LAST MEETING (December 9, 2015):

MOTION by Bob Smith, second by Ann Kijek, to accept the Minutes of the meeting held on December 9, 2015.

All in favor.

MOTION CARRIED.

1. Matt McGowan--Woodberry Phase III:

Mr. McGowan presented plans for Phase III-B of Woodberry Manor. The Mountain Top Area Joint Sanitary Authority asked Hallmark Homes to change the plans from a forced main system to gravity. It was approved by MAJSA and their Board advised Mr. McGowan to present the plans to the Planning Commission as a courtesy. Nothing needs to be approved by the Planning Commission, the Township has no liability. There are inspectors on-site at all times.

Marcia Thomas asked how the change would benefit the development. Mr. McGowan explained that there are grinder pumps, different from most municipalities, which are maintained by MAJSA. If they can eliminate the grinder pumps and go to gravity feeds, it'll benefit the Township. The developer is required to dig 8 feet instead of 3 feet.

Marcia Thomas asked about a pumping station. Mr. McGowan stated that there is one small 10 horsepower pumping station, located off the power lines, which is maintained by MAJSA. He showed the Planning Commission and Solicitor where the pumping station is to be located. Marcia Thomas asked how many homes would be affected by this change. Mr. McGowan stated that there are 32 homes between Phases B and C that would be affected. Section A is already gravity feed. The only section that is grinder pumps is the Twins. Instead of having 32 pumps to take care of, MAJSA will have 2 with the gravity feed.

2. Jack Varaly--Comprehensive Plan/Community Survey

Mr. Varaly suggested combining two of the questions on the originally approved Community Survey. The Survey asks, "How would you rate Rice Township as a place to live?" which is a multiple choice question ranging from Excellent to Poor. The Survey then asks, "What are the major reasons why you answered the prior question?" It is left blank. Below that, question 7, asks "Which of the following reasons best describe why you stay in the Township?" This is also a multiple choice question. Mr. Varaly feels that questions 6 and 7 are redundant, and should be combined.

Mr. Varaly discussed the timeline for the Survey in regards to publication and availability to residents. He stated that the Township would receive a better response rate advertising in news stories as opposed to legal ads, as most residents don't read the legal ads. Solicitor Dean stated that Crestwood just did something similar with their Survey, and it was advertised in the Mountain Top Eagle. Mr. Varaly stated that now is a good time to run the Survey because everyone is home. There's not much to do in the winter months compared to other seasons. Mr. Varaly suggested

running the Survey for 1 month, although stated that it could run for longer. Secretary Stier stated that SurveyMonkey contains a feature to track responses by date, which could be helpful in analyzing other trends.

Kevin Rogan asked if the Survey will be advertised by Press Release or Advertisement. Mr. Varaly stated that more people would read it as a news story as opposed to a legal ad. Mr. Rogan stated that the Township should not pay for advertising; Mr. Varaly stated that the Township could handle it. Marcia Thomas asked if there was a legal requirement for advertising a Community Survey. Mr. Varaly verified there is not.

Mr. Varaly stated that Secretary Stier made him aware of a feature of the SurveyMonkey website that allows the administrator to track IP addresses. This will prevent repetitious submissions, which will skew the results. The last Survey yielded approximately 500 responses. The population has grown since the last survey, by almost 1,000 people. Rice Township now has a population of 3,335. 56% of people living in Rice Township have moved here since 2000.

The Comprehensive Plan will include the new census data. The Census Bureau now has the American Community Survey, which gives yearly estimations of census data. Mr. Varaly discussed Growing Greener, and recommends removing it from the Ordinance. It has been an option for 10 years and there have been no takers.

It is not unusual to receive personalized complaints in the Community Survey responses.

Mr. Varaly distributed Population Data packets to the Planning Commission for information purposes. Rice Township has seen a 35% population growth; Fairview Township has seen a 13% population growth. Everyone else has been in the single digits. Tom Romanyshyn stated that it's getting too expensive to develop anymore.

The first step is to get the information in the newspaper. Plan to open the Survey 2 to 3 days after the publication, and it will run for the next 30 days. The publication should include an option for residents to pick up paper surveys if they are not able to participate digitally.

3. Jack Varaly--Zoning Ordinance Amendment (Political Signs)

Mr. Varaly explained that the hearing regarding this Ordinance could not be held during the February meeting because Luzerne County must be given time to review it. We also would not have met the advertising requirement. He believes that it is likely we will not receive a response.

4. Susquehanna-Jenkins Rebuild Project

Solicitor Dean reported that PPL is cutting across the mountain, traversing through multiple municipalities. They asked us for our comments on their plan. Engineer Pasonick reviewed it and he was unable to comment because the map was too small. Solicitor Dean was able to obtain a full-sized plan and got a copy to Engineer Pasonick. No comments from PennEastern have been received at the time of this meeting. Solicitor Dean sent a letter to PPL regarding the project,

explaining that, although they are exempt from most municipal Ordinances, they must abide by the Stormwater Management Ordinance.

PPL contacted the Township requesting a copy of the Stormwater Management Ordinance, and we are currently looking for it. Solicitor Dean does not have the Ordinance; we are waiting to find out if Carl Schimmel or Andy Pasonick have it. Solicitor Dean stated that he has experienced this issue in Fairview Township with PAWC.

Jack Varaly asked if PPL is upgrading the towers or replacing them. Solicitor Dean stated that he has not seen the plans in detail. Marcia Thomas stated that she understands PPL is replacing all the lattice-work towers with monopoles. We cannot confirm this because they did not submit a Scope of Work. Bob Smith stated that he received a packet, and it seems like they are looking to put a new road to allow for access.

Marcia Thomas made reference to a letter received by the Township regarding minor stream crossings. She asked if that kind of work would require state level permits. Tom Romanyshyn expressed concern with recent road work that was completed in Wilderness Estates. Solicitor Dean stated that PPL will be required to get a Stormwater Management permit, but they may challenge it. Marcia Thomas added that, at the very least, we're trying to get more information to keep our residents informed. Jack Varaly said that he would ask Andy Pasonick to get copies of the plans, as they pertain to Rice Township, to the Board.

5. Ed Slosky--E&S Plan & Rice Zoning Ordinance

Secretary Stier stated that she would be speaking as the Zoning Officer for this portion of the agenda. She explained that resident Ed Slosky was going to attend the Planning Commission meeting, according to statements made at the January Board of Supervisors meeting. Mr. Slosky is not present.

He was very upset during the public comment portion of the Board meeting. He has received 2 letters from the Conservation District regarding his lack of E&S permit; the Conservation District representative informed the resident that the Zoning Officer should not have issued the permit without the E&S Permit.

Stier referred to the Zoning Ordinance, which states that an E&S Permit is not required to be submitted to the Township unless there is an area of 5,000 square feet or more of earth disturbance. The Planning Commission was given copies of the issued Zoning Permit as well as the permit application and site sketch. Stier stated that Mr. Slosky is utilizing the services of contractor Joe Thomas. She stated that, according to the permit application, it does not appear that there would be an earth disturbance of 5,000 square feet. She stated that she spoke with Ken Fenstermacher, from Code Inspections. She explained that Mr. Fenstermacher does not believe the Township should be getting involved in this issue. Stier asked for feedback from the Planning Commission regarding the issue.

Jack Varaly stated that the 5,000 square foot stipulation was drafted prior to the Stormwater Management Ordinance. It may or may not be applicable, because if you're doing a land

disturbance, you have to file a Stormwater Management Plan. He stated that this is an issue that the Township may want to look at in the revision process.

Marcia Thomas explained that the resident is building a house on a preapproved lot. She stated that the only time she recalls an E&S permit being required for the construction of a house, was Attorney Powell's home. There was so much impervious cover, and the neighbor to the rear filed a complaint due to run-off.

Jack Varaly stated that it is important to find the Stormwater Management Ordinance to find out what the trigger is.

Tom Romanyshyn explained that he has had to deal with it in the past, and that the Conservation District is very easy to work with.

Stier asked how much the Township should be getting involved in these matters. Solicitor Dean stated that it all depends on what the Ordinance says. He also stated that it should be specified on the original permit application how much earth disturbance is estimated.

Jack Varaly stated that some municipalities require a survey drawing of the property, which will make it a lot easier to determine size of estimated earth disturbance. Solicitor Dean stated that 5,000 square feet is a lot.

Ann Kijek mentioned that Mr. Slosky came in for a subdivision previously.

ADJOURNMENT:

The next meeting of the Planning Commission is Wednesday, February 24th, at 7:00 p.m.

MOTION by Kevin Rogan, second by Bob Smith, to adjourn at 7:45 p.m.

All in favor.

MOTION CARRIED.