

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING AGENDA
589 Fairground Road, Lewisburg, PA
January 16, 2019

Chairman Curtis Barrick called the meeting to order at 6:00 PM.

Those present: Jon Allocca; Curtis Barrick; Christine Buffinton; Jim Knight; James Murphy, Ernie Romanini; and David Hines (CKCOG).

Visitors: See List

Motion by Curtis Barrick and seconded by Jim Murphy to appoint Christine Buffinton as Planning Commission Secretary for 2019.

Motion passed without exception.

Motion by Curtis Barrick and seconded by Jim Murphy to appoint Jim Knight as Planning Commission Chairman for 2019.

Motion passed without exception.

Motion by Curtis Barrick and seconded by Jim Murphy to appoint Jon Allocca as Planning Commission Vice-Chairman for 2019.

Motion passed without exception.

Motion by Jim Knight and seconded by Curtis Barrick to approve the December 19, 2018 meeting minutes as distributed.

Motion passed without exception.

Jim Murphy and Ernie Romanini abstained from voting.

Motion by Jim Murphy and seconded by Jon Allocca to recommend approval of the 45 West LLC final plan subject to the executed Stormwater Maintenance and Improvements Agreements, PennDOT HOP, and letter of credit.

Motion passed without exception.

Bud Schenck from Mid-Penn Engineering presented sketch plans for Bucknell Freeman College Land Development. He will present the final plans at the February 20th meeting.

The Planning Commission suggested that Solicitor Pete Matson be consulted on whether it is possible to change the ordinance specifying the threshold of impervious area that requires execution of a stormwater maintenance plan needs to be executed.

All members received a copy of the State Ethics Commission Statement of Financial Interests for 2018. Completed copies should be returned to the Township by the February 20th meeting. Completed forms will be retained on file.

Motion by Curtis Barrick and seconded by Jim Murphy to adjourn at 6:42 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING AGENDA
589 Fairground Road, Lewisburg, PA
February 27, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca; Curtis Barrick; Christine Buffinton; Jim Knight; Andrew Misener; James Murphy, Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

- Jim Buck, EBT resident, asked about the Blaise Alexander lot lights appearing very bright.
- Marilyn Murphy, EBT resident, also asked about issues with the Blaise Alexander development: planting of border trees, unloading of trucks in the middle of SR45, and neighbors complaining about the loud intercom system.

Motion by Ernie Romanini and seconded by Jim Murphy to approve the January 16, 2019 meeting minutes as distributed.

Motion passed without exception.

Motion by Andrew Misener and seconded by Jon Allocca to recommend approval of the Bucknell Freeman College Land Development/Sketch Plan contingent on receipt of the NPDES permit, Sewage Planning Module and Stormwater Maintenance Agreement.

Motion passed without exception.

Jim Knight and Christine Buffinton abstain from voting.

Motion by Curtis Barrick and seconded by Jim Murphy to recommend approval of Gulden Subdivision if waivers are granted from Chapter 22 Section 402.5c1: Private streets shall serve not more than five (5) lots and be at least 50' in length, and submission of a non-building agreement.

Motion passed without exception.

Motion by Curtis Barrick and seconded by Jim Murphy to adjourn at 7:35 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING AGENDA
589 Fairground Road, Lewisburg, PA
May 15, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca; Curtis Barrick; Jim Knight; Andrew Misener; James Murphy, Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

Motion by Ernie Romanini and seconded by Jim Murphy to approve the February 27, 2019 meeting minutes as distributed.

Motion passed without exception.

Makenzie Stover discuss the following ordinance amendment changes with the Planning Commission Members:

Change 1. Electronic Message Boards – currently in Flexible Redevelopment sign section only, proposed to add it to section 504 Sign Regulations.

Change 2. Non-Agricultural (single family residence) – currently maximum lot size is 1 acre with minimum lot size 30,000 square with approved on lot, or public sewage; proposed change one (1) acre minimum and two (2) acres maximum.

Change 3. Shopping Center Definition – currently a group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan. The proposed definition for Shopping Center is for the purpose of a shopping center to be defined as a group of three (3) or more commercial establishments.

Change 4. Section 408 – Highway Commercial (H-C) §408.1 – Permitted Uses O. Shipping Centers or Malls on a minimum of five (5) acres. Proposed spelling correction to Shopping and remove Malls.

Change 5. Section 409 – General Commercial (G-C) §409.1 – Permitted Uses A. Retail Stores; proposed to remove “s” in stores.

Discussion to be consider for next meeting were Signage Draft, Solar Panel Ordinance, Airbnb, Public Water & Sewer should be considered occupancy not just by type of structure, permitted Health Care Facility and definition.

Motion by Jim Murphy and seconded by Curtis Barrick to adjourn at 7:22 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING AGENDA
589 Fairground Road, Lewisburg, PA
June 19, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Curtis Barrick; Christine Buffinton; Jim Knight; James Murphy; Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

Motion by Curtis Barrick and seconded by Jim Murphy to approve the May 15, 2019 meeting minutes as distributed.

Motion passed without exception. Christine abstained from vote.

Makenzie Stover presented a sketch plan to the Planning Commission for the Karen Ross Subdivision. This subdivision would now serve five (5) lots, which was a matter of concern to the commission. The limit for a private road not up to township standards is four (4) lots. The Planning Commission recommended a waiver be requested for a shared driveway to gain access this lot.

Makenzie Stover presented the Lewisburg Area School District Wetland Project to the Planning Commission Board. The school has received a State Grant to establish a wetland area on a vacant lot next to the Middle School. The school has indicated that it will be an outdoor educational tool. The maintenance agreement is for twenty (20) years as part of the State Grant. The Planning Commission recommended establishing a permanent maintenance agreement for the property.

The Planning Commission Members discussed the following ordinance amendment changes.

Public Water/Sewer: concern is a larger user installing a well that causes the water table to fall. The change is to propose a gallon per day standard (EDU).

Indoor Recreation: this is in all the Zoning Districts in East Buffalo Township. The change is to propose removing it from the Agricultural Preservation (AP); Agricultural Residential (AR); and the Woodland Preservation (WP).

Health Care Facilities: currently only allowed in the General Commercial and Flexible Redevelopment area of the township. The change is to look at other Zoning Districts; based on the facility; and the intended use it has to offer the community.

Motion by Jim Murphy and seconded by Curtis Barrick to adjourn at 7:00 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
July 17, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca; Christine Buffinton; Jim Knight; Andrew Misener; Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

Motion by Ernie Romanini and seconded by Jim Knight to approve the June 19, 2019 meeting minutes as distributed.

Motion passed without exception. Andrew and Jon abstained from the vote.

The Planning Commission Members discussed the following ordinance amendment changes.

Health Care Facilities: these are currently only allowed in the General Commercial and Flexible Redevelopment area of the township. The Commission proposed additional categories of health care facilities adding hospitals, personal care homes, nursing/convalescent homes, and group homes. Makenzie recommended incorporating some of the language used in Kelly Township's group home ordinance. She will investigate it and return next month with the regulations she feels would be useful in the new ordinance.

Discussion also ensued on the difference between personal care and nursing/convalescent care facilities and on whether a division between small and large personal care facilities is needed.

The proposed changes would allow the health care facilities in the following zoning districts:

- Continuous Care: General Commercial (GC), Industrial (I1), and Urban Residential (RU);
- Nursing/Convalescent: General Commercial (GC), Industrial (I1), and Urban Residential (RU);
- Personal Care: General Commercial (GC), Industrial (I1), Low Density Residential (R1) – only if less than 40 beds, Medium Density Residential (R2), and Urban Residential (RU);
- Group Homes: Low Density Residential (R1), Medium Density Residential (R2), and Urban Residential (RU);
- Hospitals: Highway Commercial.

Motion by Andrew Misener and seconded by Jon Allocca to adjourn at 6:55 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
August 21, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca, Curtis Barrick, Christine Buffinton, Jim Knight, Andrew Misener, Jim Murphy, Ernie Romanini, and Makenzie Stover (CKCOG).

Visitors: See List

HEARING OF VISITORS

- Jim Buck said he is interested in the two plans being presented. He emphasized that land development is an important function of local government.
- Stacy Richards said she is running for county commissioner. She is curious about the solar project, as she has experience in this field from running SEDA-COG's Energy Resource Center.

APPROVAL OF MINUTES

Motion by Jon Allocca and seconded by Andrew Misener to approve the July 17, 2019 meeting minutes as distributed. There was some discussion about last month's decision regarding health care facility placement in the Industrial Zone. Commission will discuss this at a later meeting.

Motion passed without exception. Curtis and Jim Murphy abstained from voting.

NEW BUSINESS: Bucknell – ER Bison Solar Project

Jon Allocca presided while Bud Schenck of Mid-Penn Engineering and Chad Nichols of Encore Renewable Energy presented Bucknell's ER Bison Solar Project. Some of the questions and answers from the discussion were:

- Panels are 9-ft high and face due south.
- A pollinator-friendly meadow would be promoted between the panels.
- Did Encore meet with immediate neighbors? It was thought that all immediate neighbors had been contacted, although some in attendance disagreed. Encore and Bucknell will follow up.
- Concerns about shielding plants: how high? Will they grow in compacted shale and clay?
- Where does Encore usually site these installations? Chad: most are in open land and brownfields, although they have done a few in residential areas.
- The project would be developed under a 25-yr lease, with the array owned by an LLC. This will allow a 3rd party to take advantage of tax breaks.
- Electrical output will be sent to the unit at the corner of Abbey and Smoketown and then directly to Citizen's Electric. This will offset power that is currently bought directly from Citizen's Electric.
- The installed capacity is about 2 MW, which is 8% of Bucknell's usage.
- Has Bucknell looked at other sites that are more remote? Yes, this site offers the best solar orientation.

- What is the potential effect on wildlife?
- Fencing will be 8-ft maximum agricultural fencing.
- Bucknell will require the company to post a bond to cover potential removal.
- There are panels at the mods installed in approximately 2007 that are rusting and partially inoperable. Jim Knight stated that he is not sure what university entity is responsible for their maintenance, but will look into it.
- Questions were raised about the type of usage and whether it is considered part of the “Industrial Use” definition in Section 201: “A use whose field of economic activity includes ... electric services.” It was noted that Bucknell’s current co-generation power plant for cooling, heating, and electricity is located in East Buffalo Township.
- Makenzie emphasized that her determination is that this is a permitted use in the B-U zone.
- Plan still needs permanent access area and driveway permit, E&S approval, township engineer review, utility line stream crossing permit (GP-5), and improvements guarantee.

Motion by Jim Murphy and seconded by Curtis Barrick to table vote on this matter until the September meeting.

Motion passed without exception. Jim Knight and Christine Buffinton abstained.

NEW BUSINESS: True Story LLC Hotel Project

Bud Schenck of Mid-Penn Engineering presented the plan. They originally ran into FEMA problems with part of the project situated in the floodway, but the floodway mapping was revised based on intervening buildout since the last mapping, so a potential building on lot 3A is not in the floodway any more.

Written comments from EBT Zoning Administration were noted regarding approvals and agreements still needed.

Written comments from Township Engineer were noted regarding permit authorizations, improvement guarantee, sewage facilities planning exemption, pipe size waiver and potential replacement, and review for compliance with EBT floodplain ordinance.

Plan should be revised to indicate change of adjacent lot ownership.

Motion by Andrew Misener and seconded by Jim Murphy to table action until the September meeting.

Motion passed without exception.

ADJOURNMENT

Motion by Curtis Barrick and seconded by Andrew Misener to adjourn at 7:27 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
September 18, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca, Curtis Barrick, Christine Buffinton, Jim Knight, Andrew Misener, Jim Murphy, Ernie Romanini, and Makenzie Stover (CKCOG).

Visitors: See List

HEARING OF VISITORS

- Lori Cummings asked if anyone on the Planning Commission has a conflict of interest with the Bucknell solar plan. Curtis replied that since the township is small, periodic conflicts with various issues brought to the Planning Commission arise, but those with conflicts abstain from voting on those issues.
- Stephanie Snyder asked about the commission's concerns with the solar plan.
- Judith Marvin asked whether there are other locations on the Bucknell campus for solar panel installation, such as on roofs of academic buildings and dorms and over parking lots. She was also concerned about losses to the "picturesque" nature of the township and goals of the Comprehensive Plan.
- Tracey Noblette mentioned support for J. Marvin's comments.

APPROVAL OF MINUTES

Andrew Misener would like issues of visibility of solar panels from Abbey Lane and Smoketown Road and glare from supports added to the recording of discussion items on the Bucknell – ER Bison Solar Project.

Motion by Jim Murphy and seconded by Andrew Misener to approve the August 21, 2019 meeting minutes with the proposed additions.

Motion passed without exception.

NEW BUSINESS: Bucknell – ER Bison Solar Project extension

An extension was requested (letter dated September 13) due to the fact that the date of receipt of comments from the township engineer did not allow time to address the comments before the current (September 18th) meeting. Discussing the plan at the October 16th meeting would require supervisors' action at their Nov. 12th meeting, while the 90-day clock expires on November 5th.

Motion by Andrew Misener and seconded by Jon Allocca to recommend the extension.

Motion passed with 4 in favor, 1 opposed (Murphy), and 2 abstaining (Buffinton, Knight).

NEW BUSINESS: True Story LLC Hotel Project

Curtis noted support for the waiver to allow use of 10-in diameter pipes to connect building downspouts to the stormwater collection/conveyance system.

Bud Schenck (Mid-Penn Engineering) noted that since the site does not abut residential property, comment #3 on the CKCOG review does not apply. Regarding comment #4, the flexible redevelopment ordinance requires ornamental street lighting at the time of development on both sides of the street, but the street is already developed and all other streets in the flexible development area have lighting on only one side.

Motion by Jon Allocca and seconded by Jim Murphy to recommend approval of the plan contingent on adding a note for landscape screening at 42-in above finished grade at time of planting, NPDES permit, E&S plan, and execution of stormwater maintenance and improvements guarantee agreements.

Motion passed without exception.

NEW BUSINESS: Health Care Facilities in the Industrial zone

Discussion concerned overlap with flood plain regulations and use of industrial land.

Motion by Curtis Barrick and seconded by Andrew Misener to eliminate health care facilities as a permitted use in the industrial zone.

Motion passed without exception.

NEW BUSINESS: Group Home Supplemental Regulations

Makenzie provided an example of supplemental regulations for group homes.

Motion by Curtis Barrick and seconded by Jim Murphy to include these in East Buffalo Township as supplemental regulations.

Motion passed without exception.

Members should study the proposed meeting dates for 2020, as the township would like to publish these by December.

ADJOURNMENT

Motion by Jim Murphy and seconded by Andrew Misener to adjourn at 7:05 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
October 16, 2019

Chairman Jim Knight called the meeting to order at 6:02 PM.

Those present: Jon Allocca; Jim Knight; Andrew Misener; Jim Murphy; Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

- Marilyn Murphy, asked about the protocol for objecting to an ordinance, and where it was located in the Zoning Ordinance Manual.

Motion by Jon Allocca and seconded by Jim Murphy to approve the September 18, 2019 meeting minutes as distributed.

Motion passed without exception.

Makenzie Stover (CKCOG) Zoning Officer presented the Planning Commission Members with three (3) Solar example ordinances for consideration and review. A questionnaire that breaks out most of the target topic in a solar ordinance was also handed out to the members of the commission. The following topics were discussed:

Zoning Districts to permit Solar Array/Farms:

Woodland Preservation
Agricultural Preservation (AP)
Agricultural Residential (AR)
Industrial (I)

Minimum Setback Requirements for Solar Panels (from property line)

- Residential – rooftop systems are permitted provided they meet applicable building codes. Ground mount systems are permitted as accessory structures with the following additional restrictions: 10' maximum height, 15' setback in rear and side yards. (Accessory structures are not permitted in front yard)
- Commercial – general consensus to permit commercial systems (up to 3 MW) in AP, AR, I, and WP (with restrictions on tree removal) zones. Further discussion of BU zone tabled to November.
- Utility – general consensus to permit these in AP. It is unlikely any location in EBT is suitable for a large-scale system. Most farmland in AP is in state or federal preservation programs that would prohibit or discourage solar development.

Further discussion on the Solar Ordinance was tabled until the November 13, 2019 Planning meeting.

Motion by Ernie Romanini and seconded by Andrew Meisner to adjourn at 7:35 PM.

Submitted by James Knight, recording Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
November 13, 2019

Chairman Jim Knight called the meeting to order at 6:02 PM.

Those present: Jon Allocca; Curtis Barrick; Christine Buffinton; Jim Knight; Andrew Misener; Jim Murphy; Ernie Romanini; and Makenzie Stover (CKCOG).

Visitors: See List

- Tom Egan asked if the Planning Commission talked to the Lewisburg Borough regarding solar ordinances.
- Tina Morris was interested in solar.
- Ellen Herman was interested in implementation of the solar array somewhere on Bucknell property.
- Doug and Jane Welliver were interested in learning more about Bucknell's proposed solar array.
- Ken Ogawa stated that all Planning Commission members should have received a copy of Bucknell's letter encouraging use of existing ordinances, in particular, that a solar array should be accessory use.
- Jim Maneval was interested in the solar project and how it would work for all individuals involved.

Motion by Jon Allocca and seconded by Andrew Misener to approve the October 16, 2019 meeting minutes as distributed.

Motion passed without exception. Curtis Barrick and Christine Buffinton abstained.

Makenzie Stover (CKCOG) Zoning Officer presented the Planning Commission Members with a draft copy of the ordinance for solar energy systems based on the information provided to her by the completed questionnaire that broke out most of the target topic in a solar ordinance. However, there were a few topics that the Planning Commission members did not agree on, so further discussion was presented to the commission.

Topics that were discussed:

- Conditional use or by right – committee voted 4-2 in favor of by right.
- Christine asked about inclusion of the Agricultural Preservation (AP) zone. Because of property in Ag security and the need for a substation, a large solar array is unlikely in AP.
- All members agreed on a minimum lot size of five (5) acres.
- The Commission favored changing 14.11.2.2.1 on panel setbacks from 100 feet front/side/rear to 50 feet front/side/rear.
- Commission favored changing 14.11.2.2.2 from a minimum distance of 100 feet to a minimum distance of 125 feet and striking "fences."
- In 14.11.2.9.1, Commission favored changing six (6) or eight (8) foot to six (6) to eight (8) foot high fence.
- Add to Section 503.6 a maximum height of ten (10) feet.

- Section 14.11.1.12.2 was discussed it was decided to leave the 12-month extension.
- Commission discussed requirements concerning output falling to below a certain percentage. Makenzie will research property maintenance ordinances to see if they reference covering solar condition and report back.
- Commission discussed adding to the definition of solar-related equipment. Andrew will look at case-laws and report back.

Motion by Andrew Misener and seconded by Ernie Romanini to approve the 2020 Planning meeting dates as proposed.

Motion passed without exception.

Motion by Curtis Barrick and seconded by Andrew Misener to recommend approval of the Laura Bell add-on subdivision.

Motion passed without exception. Ernie Romanini abstained.

Motion by Curtis Barrick and seconded by Andrew Misener to adjourn at 7:50 PM.

Submitted by Christine Buffinton, Secretary

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
589 Fairground Road, Lewisburg, PA
December 11, 2019

Chairman Jim Knight called the meeting to order at 6:00 PM.

Those present: Jon Allocca; Curtis Barrick; Christine Buffinton; Jim Knight; Andrew Misener; Ernie Romanini; and David Hines (CKCOG).

Visitors: See List

- Lori Cummings asked what in particular in the solar ordinance the Planning Commission would be discussing.
- Bob Gronlund wanted the Commission to summarize the solar ordinance.
- Rand Ludwig stated he would like the Planning Commission members to go over as much as possible concerning the solar ordinance.
- Tina Morris is concerned about solar on Abbey Lane and wondered if advance notice would be given if new plans were to be submitted.

Motion by Andrew Misener and seconded by Ernie Romanini to approve the November 13, 2019 meeting minutes as distributed.

Motion passed without exception.

Ken Estep, Mid-Penn Engineering, presented a sketch plan for a children's reading room with restroom addition to the Union County Library. He asked if requirements for a sewer planning module and stormwater agreement could be waived. The new addition is 1,144 square feet with a patio for a total of 1,644 square feet. The ordinance requires one (1) space per 200 square feet of usable building space. The architect approximated the usable space (with addition) as 15,600 square feet, requiring 80 parking spaces. The library currently has 92 parking spaces.

Makenzie Stover (CKCOG) Zoning Officer had emailed the Planning Commission Members with language concerning solar array maintenance to give a basis for enforcement:

PSES owners are required to have all panels, structures and/or equipment in a undilapidated, none deteriorated and undamaged state. PSES will be required to mirror the original design and manufacture specification for each panel, structure and/or equipment during the lifetime of the PSES.

Jim Knight had suggested modified language:

PSES owners shall properly maintain all panels, structures, and equipment and shall repair or replace any damaged or visibly degraded components. Components shall be replaced in kind, or with equivalent parts or materials, consistent with the original design and manufacturer's specifications.

David Hines (CKCOG), filling in for Makenzie, explained that the usual procedure of giving notice is based on a complaint, and any defects shall be corrected within 60 days of notification.

Motion by Jon Alloca seconded by Andrew Misener to add the modified language to the ordinance.

Motion passed without exception.

Further discussion concerned the proposed solar ordinance. These topics were discussed:

- David pointed out the permitted zoning districts as listed in 14.11.1.1. Discussion ensued about including the Bucknell University (BU) zoning district.
- David asked about the fence setback in 14.11.2.2.1, specifically whether the Commission wanted to keep the twenty-five (25) foot setback of fences from the property line. The 25-foot setback was confirmed.
- Andrew and Ernie asked about 14.11.2.6, the screening requirement. It was noted to be covered in section 505.2.

Motion by Curtis Barrick and seconded by Ernie Romanini to forward the solar ordinance to the supervisors.

Motion passed with four in favor and two opposed.

Motion by Christine Buffinton and seconded by Curtis Barrick to approve the East Buffalo Township Ordinance Changes for 2019 as listed by Makenzie.

Motion passed without exception.

Motion by Curtis Barrick and seconded by Jon Allocca to adjourn at 7:25 PM.

Submitted by Christine Buffinton, Secretary