

EAST BUFFALO TOWNSHIP
PLANNING COMMISSION
589 Fairground Road, Lewisburg, PA
February 21, 2024

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

Members present: Jon Allocca, Curtis Barrick, Christine Buffinton, Katie Evans, Angelo Vieceli.

Also present: East Buffalo Township Manager Jolene Helwig, Zoning Officer (CKCOG) Makenzie Stover.

Visitors: Gavin Enders (Wagner's Surveying), Jim Knight, Robert Lack, Greg O'Neill, Cory Peterson (LIVIC Civil), Shawn Sassaman (Viridi Terrae Consulting)

Hearing of Visitors on Agenda Items: None.

Approval of Minutes

- Motion by Katie Evans, seconded by Jon Allocca, to approve the January 17, 2024, minutes as distributed.
- Motion passed without exception.

New Business: Karen Ross Minor Subdivision

- Gavin Enders of Wagner's Surveying presented the plan for subdivision of 12.768 acres from a 23.096-acre lot off Scouting Lane owned by Karen Ross.
- The new lot (Lot 1) will have access from a private, 25-foot right-of-way (ROW) from Scouting Lane leading to a dual driveway shared with the remaining tract.
- Both the new lot and remaining tract are compliant with lot area, width, and setbacks in the Woodland Preservation District.
- It was noted that the 25-foot ROW from Scouting Lane cannot be dedicated to the township, due to the number of lots serviced and the width.
- Motion by Jon Allocca, seconded by Katie Evans, to recommend approval of the plan contingent on:
 1. Execution of easement and maintenance agreements for the dual driveway for Lot 1 and the Tract Remainder;
 2. Completion of all signature blocks;
 3. Approval of a sewage planning module.
- Motion passed without exception.

New Business: Final Land Development Plan for Miller Center Daycare Addition

- Cory Peterson of LIVIC Civil presented the plan for a 9,629-sq.ft. child daycare addition to the Miller Center. The project will include demolition and re-striping of existing bituminous parking areas.
- Planning Commission members had viewed an original submission of the plan at the January meeting.
- It was noted that access to/from the North Parking Lot will be facilitated by a raised crosswalk across Alley Way connecting to a sidewalk leading to the entrance of the parking lot.

- Motion by Katie Evans, seconded by Jon Allocca, to recommend approval of the plan contingent on:
 1. Completion of all signature blocks;
 2. Execution of a financial guarantee agreement.
- Motion passed without exception.

New Business: Rodney Walter Final Land Development Plan

- Shawn Sassaman of Viridi Terrae Consulting presented the plan for a cattle barn at 443 Dekalb Lane in the Agricultural Preservation Zoning District.
- Motion by Christine Buffinton, seconded by Katie Evans, to recommend approval of the plan contingent on:
 1. Completion of all signature blocks;
 2. Execution of a financial guarantee agreement;
 3. Execution of a stormwater maintenance agreement;
 4. A second review letter from the Township Engineer concerning minor stormwater changes.
- Motion passed without exception.

New Business: Street Dedication

- Jim Knight presented an issue concerning The Countryside development, where the owner / developer (General Shale, Johnson City, TN, formerly Mike Fisher, Watsontown Brick) has vacated responsibility for infrastructure, invoking sections of the Pennsylvania Uniform Planned Community Act.
- The relevant section cited is **§5303 Executive board members and officers** of the unit owner's association. §5303(c)(3)(i) states that "a period of declarant control (of the owner's association) terminates no later the earlier of 60 days after conveyance of 75% of the units which may be created to unit owners other than a declarant."
- Current township regulations state that a street cannot be dedicated to the township until "dwellings have been erected on 80% of the lots abutting the street in the case of single family detached dwellings."
- The Countryside development contains 35 lots, of which 27 contain residence dwellings. It was mentioned that residents owning more than one contiguous lot could merge the lots.
- Makenzie noted that an issue larger than a 75% or 80% cutoff is that the streets in Countryside currently do not meet township street standards, so they could not be dedicated in their current condition.
- Makenzie pointed out that changing the township bar for street dedication based on one development may have unanticipated effects on other ongoing and older developments that still have vacant lots and have not yet reached the limit for street dedication.
- Commission members had numerous questions, including:
 - What was the rationale for the 80% limit in the township ordinance?
 - Was Countryside created as a "Uniform Planned Community" as described in the state statute?
 - Why would this state law, if applicable, supersede the township ordinance?
 - Why has the developer left the residents hanging?
 - Do the residents have a covenant specifying the developer's responsibilities?
- Makenzie suggested that, in the future, subdivision plans include guidelines for street dedication.

- The Commission finished with an opinion that they are receptive to considering the possibility of changing the street dedication ordinance threshold to 75%, but also need to revisit the language of “dwellings erected” in the township ordinance to deal with cases of multiple lots with a single owner and low likelihood of dwellings being constructed on the extra lots. The Commission also would like to know whether the Uniform Planned Community Act was applied appropriately in The Country-side case.

Hearing of Visitors: None.

Adjournment:

Motion by Katie Evans to adjourn the meeting at 6:57 p.m.

Submitted by Christine Buffinton, Secretary