WARRINGTON TOWNSHIP

Minutes of the Township Planning Commission

Held, pursuant to due notice, in the Municipal Building

3345 Rosstown Road, Wellsville, PA 17365

Wednesday, July 26, 2023, 7:00 PM

Presiding: Mr. Richard Bensel, Chair

Mr. James Smedley, Vice-Chair

Mrs. Carla Repman

Mr. Len Kotz

Mr. James Barton

Mr. Benjamin Lance, Alternate Member

Staff Present: Attorney Brian Linsenbach, Solicitor

Mr. Terry Myers, Township Engineer

Mr. Eric Swiger, Zoning Officer

Mrs. Renee Robison, Township Manager/Secretary

The meeting was opened with the Pledge to the Flag.

**Minutes:**  **Motion** made by Mr. Kotz and seconded by Mrs. Repman to approve the minutes of the June 28, 2023, meeting. Motion carried unanimously.

**500 Yeager Road – Warrington Sporting Clays**

Mr. Richard Conley acknowledged that Mr. Chad Swick and Mr. Shaun Delaney, his attorney, had a conversation prior to this meeting and that Warrington Sporting Clays is willing to continue this conversation to work with the neighbors concerning their complaints. Mr. Delaney suggested moving the Zoning Hearing Board meeting back. Warrington Sporting Clays is willing to move stations to re-direct sound and are proposing layout changes when this comes before the Zoning Hearing Board. Mr. Smedley asked if this would then cause problems for different neighbors. It was noted that acoustics, wind, and barometric pressure can change the decibel readings. Mr. Conley stated that these issues have been going on for 11 years and what he has perceived as non-compliance and the previous Zoning Officer, Mr. Michael Gasswint, attempted to deal with enforcing the violations of the current conditions of what was granted previously in the special exception. The current Zoning Officer, Mr. Eric Swiger, has also been working with Warrington Sporting Clays regarding the complaints. Mr. Conley said he appreciates the cooperation of everyone involved at this point.

It was noted that there is a 50-shot limit per person, but there is no limit how many times a person can go through the course. Attorney Linsenbach stated in order to re-design the course, Warrington Sporting Clays has to go back to the Zoning Hearing Board.

Mr. Marty Margolis stated that he is concerned about the issues with Warrington Sporting Clays and would be willing to hire experts, a lawyer regarding land use, and an acoustical engineer, and someone to examine the lead levels. His concern is that the proposed changes might relieve the current neighbors of their stress and concerns, but this will be moved to other neighbors such as himself.

Mrs. Beth Tauser from 645 Yeager Road also gave the Commission members a handout stating her and her husband’s questions and concerns.

Mr. Bensel stated that everyone has a lot of work to do together. The Zoning Hearing Meeting August 3, 2023, will be canceled. Mr. Bensel thanked Mr. Swiger and Mr. Swick for their progress moving forward. The question was asked if the drawing would allow Mr. Swiger to enforce special conditions and he stated that it does not based on the drawing. Motion made and seconded by Mrs. Repman to table this plan. Motion passed unanimously.

**James McClay – review of updated sketch plan – 2210 Pinetown Road**

The Planning Commission will review the zoning application with a minor lot line adjustment to reduce the lot size and pending engineer comments. Mr. Todd Lyons, Surveyor, stated that he was going to ask for a variance for both parcels. It was determined that no motion was needed.

**2022-05 Spring Meadows LDP (12/23/23)**

No update at this time.

**2023-01 Mansfield Sub-division 1440 Old Mountain Road – 3 lots (7/25/23)**

Motion made by Mr. Smedley and seconded by Mr. Bensel for the waiver requirement. Motion passed unanimously. Motion made by Mr. Barton and seconded by Mrs. Repman to recommend approval based on completing the requests from the engineer and the lot line movement. Motion passed unanimously. The Township Engineer and Township Solicitor will review language to clarify requirements and methodology of Section 311 Ag Preservation Zone.

**Public Recognition – noted in Warrington Sporting Clays discussion.**

**Park Master Plan**

Motion made by Mr. Smedley and seconded by Mr. Bensel to request the Board of Supervisors look at the Park Master Plan to possibly finish the trail. It was noted that part of the trail is thought to be in wetlands. A DCNR grant could possibly help with this.

**Recommended Action on Proposed Revisions to Section 711 Wireless Communications Facility of Zoning Ordinance**

Mr. Len Kotz distributed a document with 23 possible proposed changes to the Zoning Ordinance. Mr. Bensel stated that he wasn’t sure how to handle this as it is a lot of overreach with what the Planning Commission can do based on the MCPC. It was also noted that the Township would not have the means or staff to enforce violations if the Zoning Ordinance was changed. A consultant and a team would have to monitor.

The Planning Commission will review currently proposed revisions to Section 711 Wireless Communications Facility, of the Zoning Ordinance. It was suggested that Attorney Linsenbach be consulted first for legal guidance regarding these suggestions before this meeting. The Planning Commission will identify WCF provisions from other municipalities for possible inclusion in Section 711, prior to Attorney Linsenbach reviewing. Mrs. Darla Byerly previously had presented information and answered questions from the Planning Commission.

A workshop was planned for September 21, 2023, at 7:00 p.m.

**Business:**

Ordinance items for future discussion/action:

* PC Motion #23-01 revising Section 420 to address the use of flag lots in the Agricultural Preservation Overlay zone. Draft language proposed and pending further review.
* PC Motion #23-05 Ordinance requiring and regulating street address numbers for the health, safety and welfare of Township residents has been drafted and is pending further review.
* Reviewing Sections 517(d) and Section 401(c) regarding setback requirements for fences particularly as it relates to confinement of livestock.
* Maintenance agreements for private roads/shared driveways: solicitor will develop language for required maintenance agreements so that property owners are aware of their obligations to properly maintain the roadway and right-of-way.
* Township engineer is finalizing a worksheet to facilitate calculating limits on sub-dividing total parcel area for properties in the Ag Preservation Overlay Zone.
* Revising Sections 419(b) and/or 733(a) to harmonize the requirements for expansion of a non-conforming use.
* Revising side setback requirements where there are adjoining structures with different owners.
* Definition of Kennel vs. Section 727
* The Planning Commission will continue to review specific ordinance provisions to address any suggested additions, clarifications, or modifications that may be needed to resolve inconsistencies, or other specific issues that may arise and to improve township ordinances.

**ADJOURNMENT**

**Motion** made by Mr. Kotz and seconded by Mr. Smedley to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 8:57 PM.

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Renee Robison

Township Manager/Secretary