

# CLINTON COUNTY PLANNING COMMISSION

## January 19, 2021 Email Meeting Minutes

**PRESENT on EMAIL:** Dave Calhoun, Terry Murty, Reza Lotfi, Larry Sheats, Roger Hoy, Melvin Coakley

**ABSENT from EMAIL:** John Dotterer, Rick Bowman, Ryan Graw

**STAFF PRESENT BY EMAIL:** Miles Kessinger, Commissioner, Kate de Silva, Plannig Director, Gabe Caprio, Community Planner, Kari Kepler, Grants Administrator

\*\*\*\*\*

**CALL TO ORDER:** On January 14, 2021, upon learning that no plan or ordinance reviews had been submitted for Planning Commission consideration, Katie de Silva emailed the group to undertake just the annual reorganization and approval of prior month's minutes via email. This seemed prudent due to pandemic restrictions. She noted that the February meeting would be a face-to-face meeting following COVID-19 safety precautions. An extract of her email follows:

After you read through the packet, please enter your comments and then "REPLY ALL" with the following:

1. Nominations for the slate of officers for 2021
2. Approval of the proposed 2021 meeting schedule.
3. Approval of October minutes
4. Approval of December minutes.

I put the correspondence received and sent in this packet, just FYI.

I believe Terry will need a motion and a second for each of the above. After we have motions to consider, I will send out another email to collect your votes and report the outcome back to everyone.

I hope we can get all of this accomplished by close of business Tuesday! I will then publish the meeting schedule in the Express.

## REORGANIZATION MEETING

### 1. Election of Officers

The election was required before any other business could be conducted.

Roger H. made, and Dave C. seconded, a motion to retain the current slate of officers as follows:

Terry Murty, Chairman  
Dave Calhoun, Vice Chairman  
Larry Sheats, Secretary

All present by email were in favor and the motion carried.

## **2. Approval of 2021 meeting schedule**

Roger H. made, and Dave C. seconded, a motion to implement the 2021 meeting schedule as follows:

Jan. 19	July 20
Feb. 23	Aug 17
Mar. 16	Sep 21
Apr. 20	Oct 19
May 18	Nov 16
June 15	

Unless modified and publicly announced in advance, all meetings will be held at 7 pm on the first floor of the Piper Building, 2 Piper Way, Lock Haven, PA 17745.

All present by email were in favor and the motion carried.

## **APPROVAL OF MINUTES**

A motion to approve the minutes, as submitted, of the October 20, 2020 public meeting and December 1, 2021 special meeting was made by Roger H. and seconded by Dave C. All present by email were in favor and the motion carried.

## **CORRESPONDENCE**

Katie D. had submitted the list of correspondence received between October 8, 2020 and January 13, 2021 as part of the agenda. Highlights were water withdrawal notices for new gas drilling in Gallagher, Chapman, and West Keating Township, and the turnover of the Lock Haven Hospital water system to Suburban Lock Haven Water Authority.

## **ADJOURNMENT**

Via email on January 19, 2021, Chairman Murty summarized the above actions and wrapped up the email meeting.

# CLINTON COUNTY PLANNING COMMISSION

## February 23, 2021 Meeting Minutes

**PRESENT:** Dave Calhoun, Ryan Graw, John Dotterer, Reza Lotfi, Richard Bowman, Larry Sheats, Terry Murty

**ABSENT:** Melvin Coakley, Roger Hoy

**PLANNING STAFF:** Kate de Silva

**GUESTS:** Chris Peters, by phone

\*\*\*\*\*

**CALL TO ORDER:** The Chairman called the meeting to order at 7:00 pm.

### APPROVAL OF MINUTES

Dave C. made a motion to accept the minutes of the January 19, 2021 meeting as submitted, seconded by Larry S. All were in favor and the motion carried.

**Staff Reports:** The staff reports were skipped this month in favor of the 2020 Annual Report. Katie D. noted that the departmental goals for 2020 were significantly upset by the Covid-19 pandemic, but that there were significant unplanned accomplishments and she was very proud of her staff's performance. She highlighted the county's CARES funded purchase of Amplifund software to convert the grant application process to electronic methods, and its use in dispensing the \$3,488,812 County Relief Block Grant and three others. She is keeping the goals modest for 2021 in the ongoing pandemic:

1. Oversee the Peale Avenue Bridge and Bald Eagle Valley Trail Bridge projects (Katie D.)
2. Work with the Conservation District and a planning consultant to produce a Chesapeake Bay Watershed Improvement Plan (Gabe C.)
3. Administer ongoing Covid-19 federal and state assistance programs (Kari K.)

She noted the full Annual Report would be posted online, at the Planning Department's web page.

### OLD BUSINESS

**Pine Creek Township – RAM Avis Subdivision** –received its NPDES permit from DEP.

**Greene Township - Nicholas Meats Digester Project** – received its NPDES permit from DEP.

**Leidy Township** - Tamarack Compressor Station and pipeline project received its ESCGP3 permit from DEP. Construction to start March 1.

## **NEW BUSINESS**

### **Bald Eagle Township - AutoZone, LLC Land Development Plan**

Plans were received February 3, 2021 from Chris Peters of MDM Surveyors and Engineers on behalf of AutoZone Development, LLC of Memphis, Tennessee. Plans consist of demolition of an existing Pizza Hut store and construction of a new 7382 sq ft AutoZone retail store at 153 Hogan Boulevard (PA 150), in Bald Eagle Township. Site improvements include 42 parking spaces, loading area, trash enclosure, and curbing. A purchase agreement dated 5/21/2020 was submitted as proof of site control.

All construction is to take place on the pair of adjacent parcels 3-939-120C and 3-939-120B comprising 2.04 acres located in the Commercial zoning district of Bald Eagle Township. Retail businesses are permitted by right in this district, which is served by public water and sewer. There is a wetland at the rear of the property.

Due to an unfortunate computer misconfiguration, the intended Zoom presentation by Chris Peters of MDM Engineers and Kevin Murphy of AutoZone Development could not occur. The board had full and complete information before them, with staff analysis in their agendas, and phoned Mr. Peters from the meeting, after their deliberations, with their comments. The board noted that retail businesses are permitted by right in this district, which is served by public water and sewer, and that there is a wetland at the rear of the property.

The discussion covered the fact that this is a flood plain development, so the site is subject to the extra requirements listed in Section 7 of the Township's zoning ordinance. Since a 2016 FEMA firm map modification considerably narrowed the floodway in this area, and shows the parcels in the AE zone at a base flood elevation (BFE) of 566.50, the developer's plan to elevate the building site by 9.1 feet to a level of 568.50 will raise the BFE by 1.5 inches throughout the neighborhood in the event of a flood.

The Post Construction Stormwater Management Report provided with the submittal shows the intention to divert most stormwater to the wooded rear of the property, or to the existing street stormwater system, and also to a biofiltration pond and two underground storage tanks. Barring flood conditions, the members felt this would be satisfactory.

The main element of discussion was on vehicle traffic. The members liked that the entrance will be directly aligned with the entrance to Draketown Road, but they know the heavy congestion in this area at the start and end of Avery Dennison and Croda shifts is an issue, and both of these industries are still growing. There is also freight truck traffic on Draketown Road all day long. Some school buses use this route, and bicycle pedestrian safety is also an issue in this area. They stated that for years, users of this route have felt the need for a traffic light at this intersection.

A motion was made, seconded, and unanimously approved to forward favorable review comments to the Township, with the following comments:

1. The Township engineer should carefully review the submitted materials for accuracy, especially as to the impact of the new pad during a flood, considering that Pizza Hut had suffered four feet of inundation during Hurricane Ivan in 2004.
2. The traffic study for the Highway Occupancy Permit should take the congestion factors into account, and consideration should be given to the possibility of a traffic light.

**Clinton County Zoning Ordinance** – Discussion of a potential amendment for utility-scale solar development.

Katie D. presented data she had been researching on this new type of development coming into Pennsylvania, to prompt a discussion on whether the county should regulate it in their zoning ordinance. She emphasized that the Use Permit granted by the Zoning Hearing Board for the 1500-acre project in West Keating would not be affected by any ordinance amendment, since their use was granted under the existing 2016 ordinance. Topics covered are reprinted from the agenda, minus photos and with discussion comments added in parentheses.

#### **Why?**

- National Renewable Energy Laboratory projects that utility scale solar installations will grow to 6.6 million acres by 2050, an area the size of Massachusetts.
- Developers are all over PA right now, snapping up leases from landowners, in much the same way natural gas developers did 2008-2011.
- There is no PUC involvement in these projects, we are the sole regulator.
- Zoning provides a consistent and predictable framework to incentivize solar developers while avoiding impacts.

**DEFINITION: Utility scale solar energy system.** A large-scale, ground-mounted array of devices the substantial purpose of which is to provide for the collection, storage, and distribution of solar energy for electricity generation, and which occupies more than 40,000 square feet of surface area. (The board could set any size for this definition, e.g., 10 acres, 50 acres, 100 acres, and so forth. The definition would not apply to any accessory solar energy system designed to power a house or housing development, for example, or any community solar energy system such as one for the campus of a school district or group of municipal buildings. The primary use must be sale to the grid.)

#### **Some typical project characteristics to expect**

- Panels must be fenced in - PA state law, includes barbed wire topping
- Battery storage on a concrete pad, encased in metal housings with overhead conveyance to a substation or a grid line
- Inverters, as required for each grouping of 20 or so panels, on a gravel pad and a metal box. These emit an audible buzz or hum.
- More likely to happen within 1-2 miles of the grid or an existing substation

- This is an Industrial Use – it is not consistent with Clean and Green
- This is a land development, and our SALDO permits bonding

### **Potential impacts**

- Removing usable farmland
- Removing forested land – eliminating wildlife habitat, and the oxygen production, soil stabilization and water cleansing value of trees
- Inhibiting passage of wildlife
- Scenery aesthetics – glare, industrial appearance; viewshed disruption

### **POTENTIAL ORDINANCE PROVISIONS**

- Special Exception Use in all districts where allowed – Zoning Hearing Board
- No land preparation in advance of the Use Permit
- All state and federal permits required
- Minimum lot size – 100 acres? Several parcels may have to be consolidated to meet this.
- Maximum lot coverage? Setbacks, screening, and interior corridors will naturally limit this somewhat. Too large a limit on coverage could prompt developers to acquire more lots.
- Decommissioning – restoration of land to original contour and vegetation. These projects are unlikely to be abandoned because they are grid-connected.
- Require a management plan that addresses agricultural considerations, soil stabilization, and panel upgrades or replacements

### **Farmland protection:**

- Soil quality must be evaluated. Not permitted in any area of prime soil or soils of statewide importance, or areas designated as Ag Security or Ag Preservation. (John D. said from a farmer’s perspective, he’d prefer to see forest land used for solar than farmland)
- In Agricultural zoning districts, design should accommodate agricultural practices where possible. Examples: Plant grass around panels and combine with sheep grazing, or accommodate planting of low-growing cover crops between arrays.

### **Forest protection:**

- Not allowed at all in Woodland Conservation District (John D. noted that over-zoning can be a bad thing - landowners should have the right to use their own land as they see fit)
- If large-scale tree removal is intended, impose some kind of tree-planting offset (Rick B. and Ryan G. discussed the need to avoid “monoculture” plantings that often happen when offsets are mandated – they mentioned “early successional growth” that happens naturally, and said a diversified blend of native trees and fauna is called for.)

### **Wildlife protection:**

- Mandate planting of low-growing pollinators rather than grass around the panels.
  - Weeds are better than grass at CO2 filtering
  - Bees require pollinator plants
- Design footprint of project so large animals may have passage through/around/between arrays.

## **Aesthetics**

- Setbacks from occupied parcels: the Zoning Hearing Board mandated 35 on West Keating project
- Screening: On cleared land, a buffer at least 9 feet wide made of vegetative canopy and conifer trees. On forested land, leave a forested buffer in all setback areas.
- Near roadways or residential developments, mitigate glare
- No nighttime maintenance – eliminates need for lighting
- No lighting
- Map primary municipal viewsheds and forbid installations there (Katie D. said this is kind of a wish list item for the PA Wilds Planning Team – mapping high-quality viewsheds in the member counties)

Larry S. asked if a developer wanted to expand an existing development, would they have to come back for planning, and the group agreed that the ordinance could mandate that.

Reza L. brought up the fire danger from these installations – thinking of the recent California wildfires touched off by electrical equipment there. The members agreed that a firebreak setback could be mandated in forested areas.

## **OTHER BUSINESS**

**City of Lock Haven** – Request for comment on Auction of Dickey School.

In a letter dated February 5, 2021, Keystone Central School District solicitor David Lindsay requested comment on the coming public auction of the Dickey Elementary School.

The discussion centered around the ideal outcome - a taxable reuse of the building, such as elderly housing, rental units, or professional offices. They noted that any of these beneficial uses would require a re-zoning of the parcel, which is currently zoned low-density residential. They agreed that this might be seen as “spot zoning” but Katie D. pointed out that it would not necessarily be so, if the City determined the change was for the common public good, and would not damage the character of the neighborhood.

Terry M., who used to be principal of that school, noted that the building is old, and unlike some older public schools that have been reclaimed, does not have much historic charm or interesting architectural features to make it appealing to a buyer. Other members noted that parking in the area is minimal, and a disadvantage. They felt all these issues would be known to the City Planning Commission, and there was no motion on the subject.

## **CORRESPONDENCE**

Katie D. went over the list of correspondence received, which was included in the agenda. The main items of interest were the awaited permits mentioned under Old Business.

## **ADJOURNMENT**

John D. made, and Dave C. seconded, a motion to adjourn at 8:45 pm.

# CLINTON COUNTY PLANNING COMMISSION

## March 16, 2021 Meeting Minutes

**PRESENT:** John Dotterer, Reza Lotfi, Richard Bowman, Larry Sheats, Terry Murty, Roger Hoy

**ABSENT:** Melvin Coakley, Dave Calhoun, Ryan Graw

**PLANNING STAFF:** Kate de Silva, Gabe Caprio

**GUESTS:** Ned Slocum, by Zoom, Brian Miller, by phone

\*\*\*\*\*

**CALL TO ORDER:** The Chairman called the meeting to order at 7:00 pm, and determined that a quorum of members was present.

### APPROVAL OF MINUTES

Larry S. made a motion to accept the minutes of the February 23, 2021 meeting as submitted, seconded by Reza L. All were in favor and the motion carried.

**Staff Reports:** Katie D. updated the group on the Peale Avenue Bridge project, Penndot Connects meetings, and the PA Wilds Outdoor Discovery Atlas. Larry S. asked about the Duke MOA and Katie reported there has been no change – the public comment period is not yet open. A tour of the new Susquehannock Heights senior housing facility, and zoning enforcement in Colebrook Township, and a new Executive Director for SEDA-COG were mentioned. Kari K.'s submitted grant report gave information on how to apply to the many COVID-related funding sources. Gabe Caprio outlined his work on the Bald Eagle Valley Trail, and that \$113,000 worth of tourism grant applications had been received and processed, for \$50,000 in available funding. He also described his participation in the County Clean Water Action plan, which will be ongoing until September, and the recent emphasis of the County recreation committee – the Mill Hall Pool and the Lock Haven watershed trail system.

### OLD BUSINESS

#### **Greene Township – Nicholas Meats digester land development response to DEP comments and prior Township comments**

Ned Slocum, the company's designated project engineer from Milnes Engineering of Tunkhannock, was present at the meeting by Zoom. He noted that this presentation of items to satisfy DEP comments on the digester land development plan was provided to the County for comment as required by state law. His submittal included proof of a Chapter 105 permit approval, E&S approval, and the PCSM report and narrative, as well as prior



individual responses to the Township's original conditions. There was no further discussion of this information item.

### **Clinton County Zoning Ordinance – Part 2 of zoning for solar discussion.**

Katie D. presented a number of items for discussion as to what changes to make to our ordinance to accommodate new solar systems coming into the county. The members addressed each point as indicated in brackets below.

#### **DEFINITIONS:**

**Accessory Solar Energy (ASE) System:** An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for on-site use. An ASE consists of one or more freestanding, ground-mounted, or roof-mounted solar arrays or modules, or solar-related equipment, and is primarily intended to reduce on-site consumption of utility power or fuels

Examples of ASE would be: a solar array on property adjacent to a sewer plant or college campus to reduce their own utility costs; a roof-mounted array on a municipal building or private home. Excluded would be small personal property systems such as those used for electric fences, driveway lighting, holiday lights, etc.

**Principal Solar Energy (PSE) System:** A commercially operated solar energy system that is principally used to convert solar radiation to electricity to supply electricity to off-site customers: including but *not limited to* a Solar Energy Farm. (Example: Winner Solar)

**Solar Energy Farm:** A PSE system which exists solely to generate energy for sale back into the energy grid system, rather than being consumed on site.

[The members agreed that these definitions made sense]

#### **WHAT TYPE OF USE IS IT? INDUSTRIAL? COMMERCIAL?**

[The members felt utility scale solar had an industrial nature, as a power producer. They agreed it was excluded as an essential service.]

It seems similar to an essential service, which is permitted by right - but it is not:

ESSENTIAL SERVICES: Uses, not enclosed within a building, necessary for the preservation of the public health and safety, including but not limited to, the erection, construction, alteration or maintenance of underground or overhead transmission systems, poles, wires, pipes, cables, fire alarm boxes, hydrants, or similar equipment used by public utilities or government agencies, *excluding* communications antennas and towers as defined herein, and equipment buildings or wind or other energy production facilities.

That last sentence would cover all natural gas production facilities, solar, and so forth.

ASE seems similar to our definition of an accessory use.

**ACCESSORY USE:** A use customarily incidental and subordinate to the principal use of a building and located *on the same lot* with such principal use of a building.

We therefore may not need to add any provisions around ASEs – we could just add them as a permitted accessory use under whichever zoning districts we feel appropriate. That means the zoning officer could issue an in-office permit for ASE small project. For larger ones that are not on the same lot (or not on a lot owned by the submittor), the zoning officer would treat them as a land development and this board would review them. [The members agreed that ASE’s could be put in the “Accessory Use” column of the District Tables for all zoning districts, making them permitted by right after zoning officer review.]

Also, ASEs are covered by the PA Uniform Construction Code.

**HOW TO PERMIT IT** – refer to District Tables in the ordinance, p. 37

Could we make USE projects a special exception use in any district in which they are to be sited – requiring a zoning hearing – also requiring land development planning and some regulations. [The members agreed that USE would require a zoning hearing, to confirm adherence to our regulations on a site-by-site basis.]

#### **WHERE TO PERMIT IT**

Please refer to the zoning maps for discussion. [The members were leaning toward excluding the Rural Center and Residential Districts, and possibly also the Woodland Conservation district, but they requested to postpone these decisions until they could see mapping of the existing grid line corridors and location of substations. Chairman Murty asked whether this mapping could be presented as an overlay on a zoning map for each of the seven municipalities, and Katie D. agreed to request this from the county GIS department for the next meeting.

#### **MINIMUM LOT SIZES**

Should we set a minimum acreage for the definitions above? Or should the main distinction be whether the development is for on-site use or for sale to the grid? [There was discussion as to whether setting a lot size or any kind of minimum (such as minimum MW size) for the definition of USE would accomplish any purpose. No decision was made, more discussion may be necessary.]

#### **SETBACKS**

The group referred to the setbacks for each zone listed in the District tables. They felt these setbacks would be enough for ASE projects, but they discussed possibly setting additional setbacks as follows.

1. From adjacent occupied structures (homes, businesses, schools, etc.: how many feet? [Members felt that possibly 300 feet would ensure no impact from noise or vibration from inverters, and no aesthetic impact on occupied neighboring structures.]
2. How far from property lines? Fence setback in our ordinance is 1 foot – could that be ok as long as the setback from occupied structures is bigger? [The members agreed to leave the fence setback alone.]
3. In forested areas, a 6 foot setback from wooded areas to prevent contact between electrical equipment and trees or brush. Katie had discussed this with two fire chiefs, who said six feet would work in Pennsylvania, for the following reason: a fireline, dug by firefighters during a forest fire, should be a minimum of three feet wide – a 6 foot buffer zone would allow truck access around the site and also accommodate a 3-foot wide fire line.

[Members emphasized that maintenance of this fire safety zone should be imposed in a maintenance plan]

#### **HEIGHT LIMITATIONS**

The group felt that we already have this in our ordinance – on p. 90

#### **BUFFERS/SCREENING**

The group felt that we already have this in our ordinance – on p. 94

#### **FOR NEXT MONTH**

- Larry S. would like to see decommissioning requirements.
- Reza L would like to see an impact statement required as a condition for approval
- Terry M. mentioned that impact on historic properties might require review by a committee to assess impact.
- Overlay map of grid corridors and substations

#### **NEW BUSINESS**

##### **Greene Township – Nicholas Meats sewage planning module**

Brian Miller, representing Nicholas Meats, joined the meeting by phone. Katie D. explained that normally she fills out a Component 4B in the Planning office and forwards it back to the engineer, but in this case the large size and technical nature of the proposed sewage treatment plant design were beyond her ability to determine whether they met planning and zoning requirements.

The narrative and drawings were provided in the agenda. Brian Miller and Ned Slocum explained the concepts behind their design. They emphasized that they had proposed several different treatment technologies to DEP, and that DEP agreed in concept to this technically non-conventional design.

They said originally the digester was proposed to treat all the waste from the entire operation serving up to a (future) 650 employees as well as animal waste, but now this system is separated from the digester process, and is intended to treat only the domestic waste, and the digester will treat the animal waste.

This project would treat up to 13,000 gpd. The plan is to pump the domestic wastewater from the beef plant, and the domestic wastewater from the future digester, to a treatment plant on the North side of East Valley Road. From the treatment plant it would be discharged in a 30-day cycle, as Class A standard water, via engineered channels, to infiltration sites on the North side. The discharge rate would be 9.02 gallons per minute. The groundwater “dispersion plume” would all be on Nicholas Meats controlled property, and more than 100 feet from any known sinkhole.

Rick B. asked if there would be on-site discharge water testing – the question was not resolved at the meeting, the group felt DEP would regulate this.

Katie D. asked if the water would be reused in factory operations and Mr. Miller said this was not permitted because it is a food operation, but Class A water is purer than what most sewage treatment plants must produce for discharge to waterways. Mr. Miller indicated the water would remain on their property for 30 days before it infiltrated to the general groundwater and would not affect groundwater quality of adjacent parcels. He said no treated water would discharge directly to Fishing Creek.

Katie D. mentioned an earlier conversation with Jared Dressler of DEP, who said the design would be thoroughly vetted by DEP’s engineers. She would now complete the 4B of the module and submit it to Mr. Slocum.

## **CORRESPONDENCE**

Katie D. referred the group to the list of correspondence received.

## **ADJOURNMENT**

Roger H. made, and Rick B. seconded, a motion to adjourn at 8:45 pm.

**CLINTON COUNTY PLANNING COMMISSION**

**April 20, 2021 Meeting Minutes**

**PRESENT:** John Dotterer, Reza Lotfi, Richard Bowman, Larry Sheats, Terry Murty, Roger Hoy, Melvin Coakley, Dave Calhoun, Ryan Graw

**ABSENT:**

**PLANNING STAFF:** Kate de Silva

**GUESTS:** Mala Moore, Green Township Secretary, Brian Shultz, Penncore Consulting, by phone

\*\*\*\*\*

**CALL TO ORDER:** The Chairman called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES**

Larry S. made a motion to accept the minutes of the February 23, 2021 meeting as submitted, seconded by Rick B. All were in favor and the motion carried.

**Staff Reports:** Katie D. updated the group on the Peale Avenue bridge and Bald Eagle Valley Trail bridge projects, and said SEDA-COG MPO has forwarded a transportation earmark request on behalf of the Farrandsville Road/Riverview Park connector project. The CC Economic Partnership Transportation Committee forwarded its list of local bridge priorities to the MPO for the 2021-2024 TIP. She reported on some zoning enforcements in Colebrook and Logan Townships. She reported for Kari that the income limits for the First Time Homebuyer Closing Cost Assistance program have been increased to 100% of the area median. She reported for Gabe that the Chesapeake Bay Action planning process is in high gear.

**OLD BUSINESS**

**Clinton County Zoning Ordinance** – Part 3 of zoning for solar discussion.

Katie D. presented additional potential zoning provisions for discussion, pertaining to Utility Scale Solar. The members addressed each point as indicated in brackets below.

Where Principal Solar Energy Systems (PSE) are permitted by Special Exception, the following provisions could be cited.

- *No PSE shall be constructed on slopes greater than 15%, and all PSE shall be subject to the provisions of Section 609.*

[John D. was of the opinion that the slope provisions would have the adverse effect of driving large solar development to flatter ground that can be better used for other purposes. He felt the slope provisions of Section 609 were ok, because they apply to stream corridors and around sinkholes, but no new slope provisions should be added. The other members agreed and 609 will be cited but no provisions will not be added.]

- *In any Agricultural District, soil testing shall be performed. No PSE may be constructed on any site consisting of Capability Class 1 or 2 soils, as defined by the United States Department of Agriculture Natural Resource Conservation Service, Web Soil Survey.*
- *If the site is in an Agricultural Security Area, the applicant must present evidence of soil quality below Capability Class 1, 2 or 3.*

[John D. felt that even though he is in favor of protecting prime soils, zoning should not dictate what a landowner's property can and can't be used for. He said per-acre crop yields have improved with modern farming so guarding soil classes isn't as important as it used to be. He was not in favor of either of the two above provisions. The other members agreed and these will not be included in the amendment.]

- *No PSE may be constructed on any land conserved under the Pennsylvania Farmland Preservation Program.*

[The members agreed the above provision makes sense.]

- *Evidence must be furnished that project complies with all state and federal environmental regulations and safety regulations for electricity production facilities.*

[The members agreed the above provision makes sense.]

- *The Clinton County Natural Heritage Inventory should be studied to avoid impacts to identified sensitive areas.*

[Members felt this inventory should be consulted but should not preclude a project. The Zoning Hearing Board governs impact.]

- *A management plan must be submitted with the SALDO application. It should name the responsible party with contact information, and include a*

*statement of how environmental, cultural, and viewshed impacts will be avoided and how these measures will be maintained. It should also have a description of how vegetation will be maintained, including outside the fence in firebreak areas.*

[Agreed.]

- *A decommissioning plan must be submitted with the SALDO application.*

[Agreed]

The board then reviewed a county map showing locations of all major electric distribution lines and substations, overlaid on top of the zoning for each municipality covered by the county ordinance. Based on this discussion, they agreed that USE should be permitted by Special Exception in all districts except the following:

- Rural Center
- Residential
- Woodland Conservation

This leaves plenty of territory in all seven municipalities, especially in the Rural Forest District, where this activity can take place.

### **Duke MOA**

Katie D. referred to the updated submittal and mapping from the Maryland Air National Guard, for their request for a 100 ft to 7999-ft fly zone over parts of four counties. She indicated that comments could be made up to 30 days from the date of the ANG letter.

### **NEW BUSINESS**

#### **Lamar Township – Reuben Lapp Turkey Barn**

Brian Shultz of Penncore Consulting was present by telephone to present the plans received March 24, 2021 from Ryan Frenya, PE, CFM of Penncore on behalf of Reuben Lapp of 409 Auction Road, Mill Hall, for a project to add a turkey barn and two connected sheds to an existing farm on Lamar Township parcel 17-20175-90D. A number of residential and agricultural structures already exist on this 75.5 acre parcel, and the number of turkeys intended made the operation a CAO. The site is zoned Agriculture and the use is permitted in the district. There are no wetlands or flood zones on the parcel.

Mr. Shultz noted that the Lamar Township engineer had reviewed the stormwater design and had requested he revise the drawings to include an under drain to will eliminate ponding. He stated that there were no known sinkholes on this parcel. The earth

disturbance is calculated to be less than an acre, so no NPDES is necessary. The Conservation District, per letter of 3/23/2021, confirmed all needed approvals are in hand.

John D. made, and Melvin C. seconded a motion to send a favorable review to the Township. All were in favor and the motion carried.

**Chapman Township** – Land Development Plans for Service Garage, LLC proposed RV sites

The members had many questions about this project to place RV sites in the back lot of the Service Garage in North Bend,, which is zoned commercial and has a flood plain area. No one came to represent the project and field questions. Chairman Murty noted that several landowners in Western Clinton have added parking spaces for RVs to accommodate the pipeline workers in the area, and Katie D. noted that she has had a number of calls from others wanting to do the same. The members agreed that planning controls and procedures must be upheld.

Melvin C. moved, and Roger H. seconded a motion to table the discussion until a project presenter could attend the meeting. All were in favor and the motion carried.

*Correction to minutes added at May 18, 2021 meeting: There was a discussion of the previously approved Frank Green Trailer Park in Chapman Township. Katie D. reported that she had given Jeremy Jones, the operator, permission to add four units over the originally approved 10 trailers, on a temporary basis. Terry observed Mr. Jones had at least 20 units in all parked at the site. Aside from the natural concern for extreme density, the water supply, a well on the property, and the sewage disposal method, need to be investigated. Katie said she would follow up with the Township.*

**Greene Township** – Desk review of zoning ordinance amendments

Mala Moore, Greene Township Secretary, was present at the meeting. She had previously received from Katie D. the desk review comments requested earlier in the year, and wanted to let the Planning Commission know which comments had been addressed. She presented a paragraph by paragraph summary of the changes their board had accepted, but said that further discussion on the subject of solar installations was on future agendas. She will ensure a formal transmittal of the final ordinance language is made for the CCPC board's review, prior to adoption.

## **CORRESPONDENCE**

Katie D. referred the group to the list of correspondence received.

## **ADJOURNMENT**

Roger H. made, and Melvin C. seconded, a motion to adjourn at 8:35 pm.



**CLINTON COUNTY PLANNING COMMISSION**

**May 18, 2021 Meeting Minutes**

**PRESENT:** John Dotterer, Reza Lotfi, Richard Bowman, Larry Sheats, Terry Murty, Roger Hoy, Melvin Coakley, Dave Calhoun, Ryan Graw

**ABSENT:**

**PLANNING STAFF:** Kate de Silva, Gabe Caprio

**GUESTS:** Jean Nestlerode, Ken Pick, Dale “Malm” Riggle

\*\*\*\*\*

**CALL TO ORDER:** The Chairman called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES**

Chairman Murty pointed out a necessary correction to the April minutes – the discussion of the overcrowding at the Frank Green trailer park had been left out. Katie D. said she would include that correction.

Dave C. made a motion to accept the minutes of the April 20, 2021 meeting as amended, seconded by Larry S. All were in favor and the motion carried.

**Staff Reports:** Katie D. discussed DCNR’s new trails strategy, the multimodal transportation plan going on in response to the cessation of River Valley Transit service, Logan Township’s zoning enforcement issues, the MAS landfill gas facility project, and the Leidy South pipeline project. Gabe updated the group on his submittal of a DCNR C2P2 grant request for engineering cost on Phase 5 of the Bald Eagle Valley Trail, and detailed project progress on the Phase 4 job. He also discussed the Chesapeake Bay Clean Water Action planning progress, and effort of the Recreation Committee to assist Mill Hall with pool repairs and an inventory of countywide recreation facilities and amenities.

**OLD BUSINESS**

**Clinton County Zoning Ordinance** – Presentation of a proposed text of the amendment for solar installations. A potential amendment text for solar projects was reviewed.

Roger H. moved, and Dave C. seconded a motion to forward the draft to the Commissioners, pending review by the covered municipalities and a public hearing to be scheduled. All were in favor and the motion carried.

## NEW BUSINESS

### Chapman Township – Land Development Plans for RV sites for Service Garage, LLC.

The group reviewed informal land development plans for a project to add seven temporary RV/camper sites behind the business at 11835 Renovo Road, Chapman Township parcel 7-3499-64 as Phase 1, with a potential additional amount of parking spaces as Phase 2.

Because the plans submitted were very informal, and showed only a site layout without setback distances, ground contours, or stormwater provisions, our members had many questions. Jean Nestlerode and Kenneth Pick were present at the meeting to answer them. They said each camper parking site will measure 30 x 50 and will be served by public water, public sewer, and electric service.

They presented some additional information, including acceptance letters from the water and sewer authorities, campground rules, sample lease agreements, and the provisions made for trash collection. The members deemed these to be adequate.

There was much discussion on the length of time that the RV spaces could remain occupied. There was concurrence that this is a permanent development for seasonal use, and that there are state regulations for seasonal developments giving specific time limits that the Township should enforce. Also it was recommended that the nearest fire company be notified of the increase in development, upon completion of the park.

Dave C. moved, and Melvin C. seconded A motion to forward a conditional approval to the Township, as follows:

1. Township Zoning Hearing Board approval. Our members suggest the board take the following impacts into consideration:
  1. The density of residential development, taking into account the lot size, and that the Water Authority will accept 8 to 12 units, and that there are single-family residences surrounding this commercial property. How will the surrounding residences be protected from impacts?
  2. Whatever number of campers the board wants to allow, new plans showing the locations, dimensions, and setbacks for that exact number should be provided to that board for review, before approval is granted, or if the work is to be done in phases, a new Phase 2 plan should be presented for separate approval at that time. The limits of the 100-year flood plain should be shown on these plans.
  3. No development or disturbance of any kind should be permitted in the 100-year flood plain.
  4. The board may want to establish new side yard setbacks, since RV parks are new to the Commercial District.
2. The Township engineer should confirm whether the design complies with its 2016 Flood Plain Ordinance and stormwater management regulations, if any, or make recommendations to help it conform.

3. Finally, our board recommended that the applicant contact the Clinton County Conservation District for an E&S Plan to be followed and kept onsite.

All were in favor, and the motion carried.

### **Chapman Township – Land Development Plans for RV sites for Riggle, LLC.**

The members reviewed a simple sketch plan received 5/12/2021 via email from Beth Whitty, from Harry Riggle on behalf of Riggle, LLC of 940 Central Avenue, North Bend. His project was to add a number of temporary RV/camper sites on two parcels totaling 1.1 acres at 12385 Renovo Road, Chapman Township parcels 7-23614 and 7-3309.

Katie D. noted that there is no flood plain on the property, and the subject parcels are zoned Commercial, and since this use is not permitted in a Commercial district, a zoning hearing would be required.

Because the drawing submitted was just a concept, and showed no site layout, setback distances, ground contours, or stormwater provisions, our members felt that more elaborate plans must be submitted to the Township before any type of decision can be made.

Mr. Riggle was present at the meeting to answer questions. He was shown what a typical land development plan for a campground contains, and he observed the given responses to the presentation by Service Garage LLC. He stated that prior to further zoning review by the Township, he would obtain more detailed drawings and collect and present the required utility, sewage disposal, and water service information. He stated that he wasn't sure how many spaces he wanted to create, but he would meet the Township's 30' x 50' spacing requirement. He believed the maximum would be 8 spaces, and all would be appropriately set back from the highway and property lines. He stated there is no standing water ever on this lot.

It seemed clear that ground disturbance would be minimal, and the site is already graveled. Mr. Riggle stated he would add a water service connection to his existing water (Renovo Water Authority), he said his trunk line would follow a grade coming down from the eastern building on his properties. He said that building would become part of the campground development.

Our board agreed that this is a permanent development for seasonal use, and that there are state regulations for seasonal developments giving specific time limits for occupancy that the Township should enforce. Also it was recommended that the nearest fire company be notified of the increase in development, upon completion of the park.

Roger H. made, and Larry S. seconded, a motion to present conditional approval to the Township.

1. Township Zoning Hearing Board approval. Our members suggest the board take the following impacts into consideration:

- a) The density of residential development, taking into account the lot size, and that there are single-family residences behind and across 120 from this commercial property.
  - b) Whatever number of campers the board wants to allow, new plans showing the locations, dimensions, and setbacks for that exact number should be provided to that board for review, before approval is granted.
  - c) Proof of an approved sewage disposal plan.
  - d) Proof of approved water hookups to accommodate the number of new units
  - e) Campground rules and regulations.
  - f) Will a PennDOT Highway Occupancy permit be required?
2. Finally, our board recommended that the applicant contact the Clinton County Conservation District for an E&S Plan to be followed and kept onsite.

All were in favor and the motion carried.

Discussion of RV parks continued after the applicants left. Reza L. emphasized that the legal costs for enforcement should be borne by the developer. Terry M. noted that the Frank Green development had 16 RV trailers in addition to 4 mobile homes. The group discussed the potential water supply problem on that lot. Also, in Leidy Township, properties served by Tri-County Electric may have difficulty with power continuity when high demand is added by all these new trailers. Quiet Oaks is completely full, possibly more full than their recent expansion plans allowed.

Dunnstable Township and Pine Creek Township each have multiple river lots that may be in violation of various zoning and flood plain rules.

## **CORRESPONDENCE**

Katie D. said the correspondence generated by actions at the April meeting was enclosed in the agenda. Other correspondence will be reported next month.

## **ADJOURNMENT**

Melvin C. made, and Dave C. seconded, a motion to adjourn at 8:10 pm.

# CLINTON COUNTY PLANNING COMMISSION

## June 15, 2021 Meeting Minutes

**PRESENT:** John Dotterer, Reza Lotfi, Richard Bowman, Larry Sheats, Terry Murty, Roger Hoy, Melvin Coakley, Ryan Graw

**ABSENT:** Dave Calhoun (excused)

**PLANNING STAFF:** Kate de Silva, Gabe Caprio

**GUESTS:** Laurie Flanagan, Horses of Hope, Steve Gibson, McTish-Kunkel Engineers, Bobby Maguire (self), Bill McCoy and Steve Katherman, Gallagher Township, Jeff Snyder, Commissioner.

\*\*\*\*\*

**CALL TO ORDER:** The Chairman called the meeting to order at 7:00 pm.

### APPROVAL OF MINUTES

Larry S. made a motion to accept the minutes of the May 18, 2021 meeting, seconded by Ryan G. All were in favor and the motion carried.

**Staff Reports:** Katie D. noted the Peale Ave. bridge project in Mill Hall will get under way in mid-July, as will the Huling Branch mine reclamation, Phase 2. She attended the groundbreaking at the Nicholas Meats digester, and did two zoning enforcements. She teamed with Jeff Kreger to give a briefing on proper land development and sewage planning procedure for RV parks and campgrounds. Kari K.s grant report was included in the packet. Gabe C. reported on his extensive work on the Chesapeake Bay Clean Water Action Plan, the Bald Eagle Valley Trail bridge project, and the activities of the County Recreation Committee: assisting the YMCA with pool upgrades and future hosting of the national canoe and kayak championships. He announced his resignation as of July 2 to take a position with the City of Allentown.

### OLD BUSINESS

**Greene Township** – proof of final approval by DEP and the township of the Nicholas Meats Digester Project was presented in the agenda.

**Chapman Township** – the agenda included a notice that Service Garage, LLC has withdrawn its proposal for an RV lot behind their business in Farwell.

**Clinton County Zoning Ordinance** – Katie D. noted that before the draft amendment for solar energy production could be sent to the commissioners, the seven covered municipalities must be given the opportunity to comment. The agenda included the letter to the municipalities, and “no comment” replies from Colebrook and Logan Townships. Bill

McCoy and Steve Katherman attended the meeting to present Gallagher Township's comments, as follows:

“Large areas of clear cutting are creating huge runoff issues in our Township. On Hollow Road, huge acreage of clear cutting has created serious runoff issues, even four years after the project. There is someone clear cutting now off the Pike and the Conservation District says they obtained no permit. The township ends up footing the bill for repairs to our roads caused by stormwater.” McCoy wondered if the Rural Forest zoning district could be removed as an area where utility scale solar would be permitted, to prevent this clear cutting, or if setbacks could be added to keep clear cutting away from roadways and waterways. Katie D. noted that the draft amendment refers to Section 604 A of the ordinance, which dictates projects must comply with all state and federal environmental regulations (including stormwater), and other paragraphs of Section 604 that lay out maximum impervious surface, among other standards for construction. McCoy noted that many out-of-state buyers are moving in and doing projects without any notion of what permits and controls are needed. He requested that the ordinance enforcement be “very tight” on tree removal, to avoid future runoff issues.

Terry M. requested that Katie make one more attempt to reach the four municipalities who had not responded to the letter, and she agreed to do this. There was no further action on this subject.

## **NEW BUSINESS**

### **Mill Hall Borough – Proposed zoning amendment on the keeping of chickens**

Katie reported that a draft was received via email from Borough Secretary Brandi Yost on May 27, 2021, requesting review comments on the proposed addition to the Borough zoning ordinance of a section covering the keeping of chickens. The public hearing on this amendment is scheduled for June 22, at 6:45 pm at the Mill Hall Fire Company building on Peale Avenue.

The group went over the highlights of the ordinance:

- A permit is required
- Only allowed in single-family residential or non-residential districts
- Minimum lot size 40,000 sf
- No more than 10 chickens per lot
- No roosters allowed anywhere
- Chickens must be confined – no running loose
- Establishes setbacks
- Coops must be kept clean and sanitary
- Establishes manure handling rules

One comment was that saying chickens are allowed in “single-family residential or non-residential districts” essentially means they are allowed in every zoning district. The 40,000

sq ft lot size narrows down the possible areas, but why not just exclude the R3 district, the Central Business District, and Industrial Districts? The keeping of chickens in these areas would conflict with the other permitted uses.

The second comment was that the last sentence in Section 3 is hard to understand. Could this be put in simpler language?

Melvin C. moved, and Rick B. seconded, a motion to send these comments to the Borough. All were in favor, and the motion carried.

### **Grugan Township – Four-Lot Subdivision and RV Campground**

Before the discussion, Bobby Maguire presented the group with copies of the proposed “Wroblewski Campground” rules, and a written statement that septic pumping service would be provided by Steve Braim, d/b/a Ron Braim Septic. Katie D. presented the details of this project as follows:

Plans drawn by Robert Ohl were received June 8, 2021 from Robert Maguire, property owner and developer, for a four-lot subdivision of a 12.02 acre parcel along the West Branch of the Susquehanna, currently addressed as 8332 Renovo Road, Grugan Township parcel currently parcels 14-6677, 14-29946, and 14-29945. All of these parcels were obtained by deed or quiet title. In November 2020, for this site I issued a zoning permit for the demolition of a degraded camp building and the construction of a 30 x 48 pole building, which has been nearly completed and is located on Lot No. 2.

Lot No. 2 is intended to be retained by Maguire as an RV campground with seven parking sites, and the pole barn as the bath house. The remaining three lots are intended for sale for single-family residential development. The site is zoned RF with a minimum lot size of 1 acre. All lots are greater than two acres. Campgrounds are a permitted use in this district.

A HOP was obtained from PennDOT to give access to Lot 2 from Route 120 and some guiderail was removed to facilitate this. An earthen ramp to the parcel was constructed and then shaled, and an interior drive and each of the seven parking sites have been leveled and shaled.

A productive well was drilled to serve the needs of Lot 2, located as shown on the plans.

The three lots for sale will have individual on-lot septic systems, and perc sites have been identified. Lot 2 will have a 700 gpd commercial system to serve the seven campsites. A sewage planning module is ready for submittal to DEP.

Some of the parcel is in the 100 year flood plain. After subdivision, each of the four lots will have river frontage/flood plain areas. No development is proposed within the flood plain limits on the three for sale, and no development on Lot 2 is proposed within the flood plain limits.

The Clinton County Conservation District, notified of the earth disturbance in advance of planning, did a site inspection. They found all disturbed areas seeded and growing in, and

they observed silt sock and other E&S controls in place. DEP, however, will require an NPDES permit for the site.

Mr. Maguire answered questions from the members. Reza L. asked if Lot 1 really had enough room to develop as a single-family lot, due to the presence of Green Run, the access drive and the flood plain area, and the perc site location being where logically a house would go. Bob answered that with a 2.3 acre lot, there would be enough room for everything and it would be a nice building lot.

There was discussion about the adequacy of power supply for seven RVs and three homes, since service issues are known in this area. Maguire answered that he has been trying to reach PPL on that subject.

Re campground rules, Terry M. asked about the prohibition of firearms and bows and arrows. Maguire said they could be kept in vehicles for hunting purposes, but not fired anywhere on the property.

Katie D. noted that she always receives a copy of the the sewage planning approvals from DEP, and recommended that approval be contingent on receipt of DEP sewage planning approval, and that no RVs be moved in before that.

John D. moved, and Roger H. seconded, a motion for approval contingent on the approval of the DEP Sewage Planning module. All were in favor and the motion carried.

### **Pine Creek Township – Horses of Hope Land Development**

Engineer Steve Gibson of McTish Kunkel and Director Laurie Flanagan of Horses of Hope were present to answer questions about the proposal. Plans were received on June 9, 2021 from Eric Sechrist of McTish-Kunkel on behalf of Horses of Hope, Inc., for an agricultural/commercial equestrian facility. The multi-page submittal included a full stormwater analysis and narrative.

Mr. Gibson noted that the 27-acre site at parcel 29-29866 site would consist of a driveway, riding arenas, stables and pavilion areas, separated into two sections, one for the exclusive use of veterans and one for all other Horses of Hope Clients. The site is zoned Research and Development and Industrial (I-1). Katie noted that the Township solicitor identified the historical use of the site as Ag, so this use is permitted as a continuation of an existing nonconforming use. The site will be served by public water and sewer.

NPDES permit and E&S plan approvals are currently submitted and under review by the appropriate agencies, since the limits of disturbance are will be over an acre. The LOD shown on the plans are not all intended for the current development – the wider area was included for permitting purposes for possible future development. There is no plan to remove any trees from the forested area at present. The interior road will be gravel, and DEP as agreed to let them stone the road to the veteran's area without obtaining further permits, because the road already exists.



Ms. Flanagan stated that the veterans' area will be constructed first, because the restroom and office are grant funded. Seven horses will be moved from the current site in Mackeyville, as soon as the veterans' facilities are completed. The balance of the project will be completed as funding allows.

The 46 regular and 2 ADA parking spaces are proposed. Ms. Flanagan did not feel that more than two ADA spaces would be needed, since clients are served by appointment, two at a time.

Roger H. moved, and Larry S. seconded, a motion to send a favorable review to the Township, with no comments. All felt the submittal was thorough and complete, and the motion was unanimously approved.

### **CORRESPONDENCE**

The correspondence received was in the agenda. Of primary interest was the increase in requests for water withdrawals for fracking.

### **ADJOURNMENT**

Melvin C. made, and Roger H. seconded, a motion to adjourn at 8:05 pm.

# CLINTON COUNTY PLANNING COMMISSION

## July 20, 2021 Meeting Minutes

**PRESENT:** John Dotterer, Larry Sheats, Terry Murty, Roger Hoy, Melvin Coakley, Ryan Graw, Dave Calhoun

**ABSENT:** Rick Bowman, Reza Lotfi (excused)

**PLANNING STAFF:** Excused

**GUESTS:** Commissioner Jeff Snyder

\*\*\*\*\*

**CALL TO ORDER:** Chairman Murty called the meeting to order at 7:00 pm.

### APPROVAL OF MINUTES

Melvin C. made a motion to accept the minutes of the June 15, 2021 meeting, with a correction to add the attendance of Jeff Snyder as a guest. The motion was seconded by Larry S. All were in favor and the motion carried.

**Staff Reports:** Katie D. was absent but her staff report was in the agenda. Dave C. reported on the water main break on the rail trail that created a considerable slide across the trail, and also on the bridge conversion, both projects taking place in Wayne Township. The bridge project is waiting on materials.

### OLD BUSINESS

**Clinton County Zoning Ordinance Amendment for Solar** – The members agreed to table this item until next month, so that Katie could present a report on the final comments received from the covered municipalities.

### NEW BUSINESS

**Bald Eagle Township** – Comprehensive SALDO update – the Planning Director had reviewed the ordinance and her comments were presented in the agenda. After discussion,

Dave C. made, and Roger H. seconded, a motion to transmit the comments to the Township as presented. All were in favor and the motion carried.

**Pine Creek Township** – Zoning Ordinance Amendment – The members discussed this simple amendment to establish the building setback lines to be measured from the edge of right of way of both public and private streets.

Minutes compiled 2021.07.25 by Katherine de Silva from notes by Larry Sheats and Jeff Snyder.

Roger H. made, and Melvin C. seconded, a motion to recommend approval of the amendment as presented. All were in favor and the motion carried.

## **OTHER BUSINESS**

**Wayne Township** – MAS Energy facility to extract and purify landfill gas for sale to UGI.

This item was not on the agenda, but was considered at the request of MAS Energy and the Wayne Township Planning Commission, who reviewed the project at their most recent meeting. MAS wants to go to construction as soon as possible, and requested a county review.

The project involves the construction of two buildings to house methane vacuum and purification equipment, sited on the Wayne Township Landfill's property adjacent to Shoemaker Road. A gas pipeline will be affixed to the Bald Eagle Valley Trail river bridge on the upstream track, out of the way of the trail decking. This will carry purified gas to a connection with a UGI pipeline in Pine Creek Township.

There were no site plans, printed materials, or project representative available to answer questions. All discussion was based on a recap by Wayne Township Supervisor, Dave C. of the Township Planning Commission's review, and the discussion moved from there. Comments were:

1. If vacuum pumps are used to extract gas from the landfill, will noise be a concern? The buildings should be properly sound proofed to avoid impacts to the homes in adjacent neighborhoods.
2. Because First Quality uses the main road to the weigh scales for its truck travel, there is a risk of traffic congestion during construction so traffic should be directed along Fritz Road.

Since this item was not formally presented, there was no motion but the above comments may be directed to the Township.

**West Keating Township** - Terry M. talked about the permitted solar facility in West Keating Township, and the Township's opposition to the high level of development they are seeing, about which they have no capacity to cope or respond. He recommended the Township should insist on bonding all roads being used to access development sites, and the members concurred.

## **CORRESPONDENCE**

The correspondence sent and received since the last meeting was in the agenda.

## **ADJOURNMENT**

Melvin C. made, and Roger H. seconded, a motion to adjourn at 7:24 pm.

Minutes compiled 2021.07.25 by Katherine de Silva from notes by Larry Sheats and Jeff Snyder.

**CLINTON COUNTY PLANNING COMMISSION**

**August 17, 2021 Meeting Minutes**

**PRESENT:** John Dotterer, Larry Sheats, Terry Murty, Roger Hoy, Melvin Coakley, Rick Bowman, Dave Calhoun, Reza Lotfi

**ABSENT:** Ryan Graw (excused)

**PLANNING STAFF:** Kate de Silva, Matt Croak

**GUESTS:** Commissioner Jeff Snyder, Mike Kalp, Martin Wasser, Justin Ruby, Mike Flanagan, John Lipez

\*\*\*\*\*

**CALL TO ORDER:** Chairman Murty called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES**

Melvin C. made a motion to accept the minutes of the July 20, 2021 meeting. The motion was seconded by Larry S. All were in favor and the motion carried.

**Staff Reports:** Katie D. reported on the hiring of Matt Croak as Community Planner/Zoning Officer, and introduced him to the board. She noted that detailed TIP nominations for the MPO bridge list were forwarded to SEDA-COG. Frank Green and Jeremy Jones' zoning hearing for an RV park on Summerson Mountain Road was unsuccessful. The Peale Avenue and BEVT bridge projects are proceeding. Two planning initiatives, the Clean Water Action Plan and the Multimodal Transportation Plan are both approaching their final stages.

**OLD BUSINESS**

**Clinton County Zoning Ordinance Amendment for Solar**

Katie D. reported on all the comments received from the townships covered by the Clinton County Zoning Ordinance. Grugan and East Keating Townships had no response, and Noyes, Colebrook and Logan Townships were in favor of the draft as submitted.

At the July meeting, Gallagher Township Supervisors attended to express a concern over timbering for solar creating stormwater runoff, causing long-lasting damage to their roadways. In a July email, West Keating Township conveyed their strong objections based on impacts of timbering, construction traffic, and disruption of the tranquil, rural nature of the township.

The board felt it was important to address the comments regarding tree removal and impact

Minutes compiled 2021.08.23 by Katherine de Silva from notes by Jeff Snyder and herself.

on township roads. They directed Katie D. to incorporate the following new special provisions into the proposed ordinance amendment:

- No tree removal, road building, or ground preparation related to a PSE project shall be undertaken prior to a Special Exception Use permit being granted by the Clinton County Zoning Hearing Board.
- In forested areas, where tree removal will be conducted to accommodate a PSE, a 50-foot forested buffer strip shall be left standing between the PSE and any public road, or any private road not controlled by the property owner.
- The PSE developer shall notify the municipality in advance of any request for a Special Exception Hearing. The developer shall provide the municipality a draft copy of the site layout and any access plans involving municipally owned roads.

Dave C. moved, and Reza L. seconded, a motion to make these changes and send a formal response to West Keating and Gallagher Townships regarding their comments on the draft. All were in favor and the motion carried.

The Chairman called for a motion to submit the draft to the Commissioners for approval.

Roger H. moved, and Melvin C. seconded the motion to send the draft, as updated, to the Commissioners, after review and comment by the County Solicitor. All were in favor and the motion carried.

## **NEW BUSINESS**

### **Dunnstable Township** – Proposed zoning amendment for fences

The board considered Lee Roberts' request for review of a zoning amendment for fences. The only comment was on the desired two-foot setback from the property line – most ordinances call for one foot to minimize loss of yard space.

Roger H. moved and Larry S. seconded, a motion to send this comment to the Township, with all other proposed additions being approved. All were in favor and the motion carried.

### **Lamar Township** – Land Development Plans for Croda, Inc.'s Lamar Manufacturing site

Plans were received August 3, 2021 from Mike Kalp, PE, Croda Mill Hall, for a project to repurpose the former BJ Services industrial site at 88 Heckman's Gap Road in the Lamar Business Park into a chemical manufacturing, storage and shipping facility. The Stormwater Management Plan and narrative prepared by Justin Ruby, PE was submitted to the County with the land development request. There are no wetlands or flood zones on the site, which is Lamar Township parcel 17-28343 and is 37 acres. A presentation by Mr.

Kalp, Justin Ruby, and Martin Wasser on behalf of the project was made at the meeting, and the board and guests asked many questions.

According to Kalp and the others, this is an expansion of their manufacturing footprint to enable production of health care and life sciences/pharmaceutical products. It will create new jobs in “double digits.”

Croda will modify only 4 of the 7 buildings on the site with the proposed land development as follows:

1. Flammable warehouse. Croda will continue to utilize this building for the same purpose; however, adding a loading dock that is safer for operation. The occupancy will continue to be HS2. (Flammable environments)
2. Fuel Dispensing Station. Croda will modify this area into a flammable storage tank farm with the installation of up to 8 horizontal tanks sized between 7,500-8,000 gallons. Croda will also install a truck unloading station that will be connected to the flammable storage tank farm. A pipe bridge will be installed from the flammable storage tank farm to the new production area.
3. VMF building (vehicle maintenance). Croda will convert this maintenance area into a production area to produce specialty chemicals. The occupancy classification will change for this building from original approval in 2011 and is being designed to the required building codes accordingly. This will include the installation of an emergency generator, additional transformer, fire water collection area, process utility equipment, and holding tanks for process equipment outside this building.
4. Office/Lab. There will be minimal work done here - Croda will install a new sidewalk to provide means for delivery people to receive access to the facility when in operation.

Most construction will take place on the North side of the existing facility. The earth disturbance for the project is calculated to be minor, because all work will take place within the already developed site.

The new site will participate in all cooperative operations of the Local Emergency Committee, as they do with their Bald Eagle Township facility.

There will be no on-site wastewater treatment – liquid manufacturing waste products will be trucked off site.

The Clinton County Conservation District did a walk-through of the site, and made Croda aware of the locations of two sinkholes near the stormwater pond. Repairs are in progress here.

Mike Flanagan of the Clinton County Economic Partnership thanked Croda for this investment in our county, and asked if they would lease the unused buildings. Kalp answered that Croda would retain all the buildings for their own future use. He estimated an early 2023 production start at the redesigned facility.

Melvin C. moved, and Roger H. seconded, a motion to send favorable comments to Lamar Township. All were in favor, and the motion carried.

## **CORRESPONDENCE**

The correspondence sent and received since the last meeting was in the agenda.

## **ADJOURNMENT**

Melvin C. made, and Roger H. seconded, a motion to adjourn at 7:24 pm.

**Clinton County Planning Department**  
2 Piper Way, Suite 244  
Lock Haven, PA 17745  
Phone: (570) 893-4080  
Fax: (570) 893-4122



**PLANNING STAFF**  
*Director: Katherine de Silva*  
*Grants Administrator: Kari Kepler*  
*Community Planner: Matthew Croak*

Run date: ASAP

Contact: Katherine de Silva, Clinton County Planning Director

### **MEETING CANCELLATION NOTICE**

The monthly meeting of the Clinton County Planning Commission scheduled for September 21, 2021 has been cancelled.



# CLINTON COUNTY PLANNING COMMISSION

## October 19, 2021 Meeting Minutes

**PRESENT:** Roger Hoy, Melvin Coakley, Rick Bowman, Dave Calhoun, Ryan Graw

**ABSENT:** Terry Murty, Reza Lotfi, Larry Sheats, John Dotterer (excused)

**PLANNING STAFF:** Kate de Silva, Kari Kepler

**GUESTS:** Michael Lose, Barrett Allison, Shep Hoeling

\*\*\*\*\*

**CALL TO ORDER:** Vice Chairman Calhoun called the meeting to order at 7:00 pm.

### APPROVAL OF MINUTES

Melvin C. made a motion to accept the minutes of the August 17, 2021 meeting. The motion was seconded by Rick B. All were in favor and the motion carried.

**Staff Reports:** Katie D. gave Matt Croak's report on the status of the Bald Eagle Valley Trail bridge projects, mentioned his representation on numerous county boards and committees, and noted that he is taking Leadership Clinton County training. She announced that the green bridge connecting High street and Hogan Boulevard will receive repairs in 2022, and this will cause traffic disruption. She reported on the completion of the Chesapeake Bay Action Plan and the Multimodal Transportation Plan.

Kari Kepler reported on the many grants the county has applied for or is administering, and her ongoing and completed CDBG projects. She reminded the group that ERAP is still open, and applications for infrastructure and recreation grants from the county must be submitted by November 1.

### OLD BUSINESS

All old business items were informational follow-ups on previous projects:

- The SALDO update attempted since 2017 will be led by a very experienced consultant, beginning in 2022.
- The solar amendment public hearing will be October 21 at 9:15 am.
- Bald Eagle Township adopted its SALDO update in September
- MAS Energy site plans were in the packet for information purposes.

### NEW BUSINESS

**Mill Hall Borough** – Lock Away Mini Storage Expansion. Plans were received electronically 9/30/2021 from Barrett Allison of Allison Land Survey & Planning on behalf of Happy Valley Property Management, for an expansion project of Lock A Way Mini Storage at 45 No Exit Lane. Mr. Allison was present to explain the project to the board. Happy Valley was represented by Michael Lose. The project is to remove some trees, re-contour a portion of the site, and add a 20 x

200 storage building. All construction is to take place on Mill Hall Borough parcel 26-24548 comprising 1.84 acres.

Mr. Allison explained the site is zoned C-2, Highway Commercial, under the Mill Hall Borough Zoning Ordinance. The use is permitted by right. When asked about the building setbacks on the side facing residences on Beech Creek Avenue, Allison explained that the C-2 district encompasses the backyards of these properties and therefore there is no applicable setback requirement. He didn't have exact coverage but he estimated it at less than 20%.

The applicants requested the Borough waive the landscaping plan requirement.

The site is located in the Flood Fringe and General Flood Plain District, and is subject to the extra requirements listed in the Borough's flood plain and zoning ordinances. The Borough engineer should carefully review the submitted materials for flood plain adequacy, especially as to the impact of the new structure and its pad on neighboring properties at times of flood. Mike Lose stated that the property was originally developed before his ownership, but he did not think any remediation was required to offset the original pad construction in the flood plain.

A stormwater basin with drainageways is proposed for the rear of the site. The basin will have a small inlet box to control the rate of stormwater discharge to Fishing Creek. Katie D. noted that the Clinton County Conservation District and the Borough Engineer are reviewing the PCSM.

According to Allison, parking and traffic flow will not be an issue at the site, even though the presence of the new building will narrow the traffic lanes, and the stormwater basin will eliminate any turning room at the back of the property. The South side of the building will have no doors. There is adequate room for two small vehicles to pass each other, and there is enough room for one semi truck at a time to access the site.

Roger H. moved, and Rick B. seconded, a motion to send favorable comments to the Borough. All were in favor and the motion carried.

### **Bald Eagle Township – Avery Dennison Expansion**

Plans were received 10/6/2021 from Shep Hoeling of Pennoni Engineers on behalf of Avery Dennison Chemical Division, for a three main, two accessory buildings expansion of their existing plant at 171 Draketown Road in Bald Eagle Township. Mr. Hoeling was present and described the plans as follows:

- A 12,000 sf warehouse expansion by addition to the existing drum storage building;
- A 2-story, 6000 sf addition to the existing emulsion storage building. Hoeling explained that this takes the place of the previously (2019) submitted maintenance building, which was not built.
- A 6400 sf multistory building for the purpose of product manufacture.
- Two utility buildings to house mechanical and HVAC equipment, near the water tank and the new production building.

All construction is to take place on the Bald Eagle Township parcel 3-954 comprising 14.70 acres located in the Industrial zoning district. Factory production buildings are permitted by right in this district, which is served by public water and sewer.

The site is subject to the extra requirements listed in Section 7 of the Township's zoning ordinance, being located in the Flood Fringe and General Flood Plain District. Hoeling

said the architects are going through the Township's flood plain code to see what kind of barriers can be incorporated at flood level, and that only storage areas would be on the ground floors.

The engineers contend that new stormwater measures are not needed, since all construction will remain on existing impervious areas.

A sewage planning module has not been submitted yet, but Hoeling anticipates no problem because only one bathroom will be added, in the maintenance building.

Upon questioning, the engineer admitted that the remaining roadway space after addition of five buildings is at a premium, but he said design carefully considered traffic and it is adequate to accommodate traffic flow. The new parking spots created for the last project provide adequate parking for trucks, and the employee parking will remain unchanged.

Katie D noted that during the 2022 construction season when this project is intended to happen, the green bridge on Hogan Boulevard will be repaired, and will be either single lane or closed most of the summer, so construction managers should plan accordingly.

Rick B. moved, and Melvin C. seconded, a motion to send favorable review comments to the Township. All were in favor and the motion carried.

#### **CORRESPONDENCE**

The correspondence sent and received since the last meeting was in the agenda.

#### **ADJOURNMENT**

Melvin C. made, and Roger H. seconded, a motion to adjourn at 7:42 pm.

**Clinton County Planning Department**  
2 Piper Way, Suite 244  
Lock Haven, PA 17745  
Phone: (570) 893-4080  
Fax: (570) 893-4122



**PLANNING STAFF**  
*Director: Katherine de Silva*  
*Grants Administrator: Kari Kepler*  
*Community Planner: Matthew Croak*

Run date: ASAP

Contact: Katherine de Silva, Clinton County Planning Director

### **MEETING CANCELLATION NOTICE**

The monthly meeting of the Clinton County Planning Commission scheduled for November 16, 2021 has been cancelled.

**CLINTON COUNTY PLANNING COMMISSION**

**December 13, 2021 Special Meeting Minutes**

**PRESENT:** Melvin Coakley, Rick Bowman, Dave Calhoun, Terry Murty, Reza Lotfi (by phone)

**ABSENT:** Roger Hoy, Larry Sheats, Ryan Graw, John Dotterer (all excused)

**PLANNING STAFF:** Kate de Silva

**GUESTS:** Bobby Maguire, Micah Claussen, John Gradel, Brady Carnahan

\*\*\*\*\*

**CALL TO ORDER:** Chairman Murty called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES** (postponed until January meeting)

**Staff Reports** (postponed until January meeting)

**OLD BUSINESS** (none)

**NEW BUSINESS**

**City of Lock Haven – request for review of zoning map change**

Katie D. presented a summary of the staff analysis and comments received from the original email meeting, then the board added to their email discussion, as follows:

On November 29, 2021 an email request was received from Lock Haven Codes Official Cyndi Walker, for review comments on a proposal to amend the City Zoning Map. The attached request is to rezone two blocks on the North side of East Main Street from Medium Density Residential to Central Business District, for the purpose of hosting an unknown commercial enterprise in the former East Main Street United Methodist Church.

- The area is in Flood Zone X – protected by levee.
- It is not in the Airport Fly Zone
- It is not in the Historic District
- The existing uses on both sides of the street are all strictly residential – some multi-family and some single-family.
- The Medium Density Residential Zone already allows for “neighborhood serving businesses and services” at an “appropriate neighborhood scale.” It also permits, by Special Exception, indoor/outdoor dining establishments.

**Staff comments:**

- Why rezone two full blocks of residential zoning to accommodate this request? To afford a continuous extension of the existing Central Business District and avoid spot zoning. CBD ends at Henderson St.
- Would City Council desire to extend the Central Business District, without hearing this request?
- Would uses permitted in the Central Business District be incompatible with the residential character of the neighborhood? Many types of business activity here are permitted by right.

**Board comments:**

- Terry M.: If the CBD is to be extended two blocks, why not extend it on both sides of Main Street? The current mix of commercial and residential runs all the way to Church Street, between Henderson and Hanna.
- Melvin C. was not in favor, until he learned that in previous years, the Main Street CBD extended all the way to the river bridge.
- Dave C.: While the church has a sizable parking lot, where would customers of future new businesses park? Members felt Main Street and side streets could be enough parking.
- Rick B.: Could a Special Exception be granted for the particular use, instead of changing the zoning map? Discussion revealed that Lock Haven's ordinance says all uses not specifically provided for in a district are permitted in the Industrial District. Some Special Exception uses are listed in the R-M use table, as are some specific Conditional Uses, but most commercial uses are not included.
- Reza L.: Would there be a property tax impact on the existing residences? The members and presenters agreed that residential units would not see a change to commercial tax rates.

**Public comment**

- One public comment had been forwarded by Cyndi Walker from Christina Frank, who said she owned three properties within the 300 block of East Main, and opposed the development due to the potential for excessive noise.

## **Presentation by requestors of the map change:**

The four presenters, John Gradel, Brady Carnahan, Micah Claussen, and Bobby Maguire, introduced themselves and described their interest in the community. They are involved with real estate sales, long and short-term rentals, commercial developments and product production and marketing, and are invested in the community in various other ways.

Mr. Maguire noted that churches around the country are being repurposed for commercial use, and this is far preferable to seeing them fall into disrepair and blight. A commercial use in the E. Main St. church would return it to the tax rolls. He noted that all the large buildings in the existing CBD are occupied and more commercial space is needed for companies and businesses to expand. He said the City Planning Commission had given their approval of the project.

Dave C. asked how many businesses could be housed on the church site and Mr. Maguire said most interested parties wanted the entire site, but it could easily be divided into three sections. Dave C. then asked what kinds of businesses were interested and Mr. Maguire said a therapist, an Amish grocery, the Love Center (food kitchen), an insurance company, an HVAC/plumbing company, a print shop, and a service supply company have all expressed interest. He said the main obstacle to developing the site is the uncertainty in zoning.

Dave C. moved, and Melvin C. seconded, a motion to recommend approval of the request to the City, and they recommend the expansion of the CBD area further to encompass the blocks bounded by Church Street, Hanna Street, and Henderson Street. All were in favor and the motion carried.

## **Bald Eagle Township – request for review of zoning map change**

Katie D. reported this request had just come in December 13 from Frank Miceli, Bald Eagle Township solicitor, for review consideration of a proposal to change the zoning designation on a 14.5 acre parcel from Low Density Residential to Agricultural. The address is 56 Pops Lane. This is township parcel 5-1-100-D. The change would extend the A district all the way to Lusk Run Road.

While they did not know the reason for the request, the board felt there was no problem with the change.

Dave C. moved, and Melvin C. seconded, a motion to recommend the ordinance be amended as submitted. All were in favor and the motion carried.

## **Gypsy Moth Caterpillar discussion**

At the Chairman's request, Katie D. presented contact information for Scott Stitzer, [sstitzer@pa.gov](mailto:ssitizer@pa.gov) for reporting county locations of high densities of caterpillar egg masses. DCNR's Forest Health Manager Donald Eggen has identified Stitzer as our

regional Gypsy Moth point of contact at DCNR. He said there will be no county cost-share program in 2022 (when property owners could get 50% of the cost for spraying their land). This program hasn't been funded by USDA since 2011. Instead, DCNR does aerial defoliation surveys and in Fall and Winter they conduct egg mass surveys, to guide their own annual spraying program. If they hear many reports from Clinton County, they will be sure to target our area. It only takes three years of infestation for gypsy moth caterpillars to kill trees, and according to Terry M., this is the third year of infestation in the Kettle Creek area, where he has observed very high infestation. Katie D. said she will notify municipalities of this issue in hopes that many reports will be submitted to Stitzer.

**CORRESPONDENCE** (postponed for January)

**ADJOURNMENT**

Dave C. made, and Melvin C. seconded, a motion to adjourn at 7:42 pm.