

**MINUTES of the MILTON PLANNING COMMISSION MEETING
of JULY 11, 2023 @ 7:00pm**

1. Call to Order by Virginia Feigles-Kaar @ 7:02 pm
2. Roll Call: V. FEIGLES – KAAR, D. PFEIL, ___ T. SHAW, C. SWARTZ, J. BALDWIN, R. SPECHT,
___ E. MCDOWELL, and Zoning Officer Doug Diehl

Additional Attendees: **W. Bond Reinhart and Gerald Stauffer for the Venture Group LLC, several residents from the Rolling Ridge Development, Pat Young CPA, Meghan Beck for the Old Shoe Factory.**

3. Pledge of Allegiance **was said.**
4. Approval of Minutes from the **June 13, 2023**, Meeting:

Motion to approve made by Dale Pfeil and 2nd by Charles Swartz. Motion passed.

5. Report of Officers: Nothing said.
8. **NEW BUSINESS: PC-2023-02**

A review for a recommendation to Borough Council for the proposed Land Development / Subdivision Plan by the Venture Group, LLC. This Subdivision Plan includes the land development of the two large parcels into multiple parcels entered & egressed by a roadway.

Discussion:

Dick: Has the infrastructure changed from before?

Bond: Sewage grinder pumps will be required for each property because technology has come so far that they work well in this situation, no bridge is required and no sewage pump stations.

Dale Pfeil: How long will Phase 1 take to finish?

Gerald Stauffer: Do you mean as far as sales or complete build out?

Dale Pfeil: As far as sales.

Gerald Stauffer: That ultimately depends on the Berk's Homes salespeople and how fast they sell.

We are hopeful that the lots will all be sold within 14-16 months.

Dale Pfeil: Will Phase 1 be completed prior to starting Phase 2?

Gerald Stauffer: Yes, that is the plan at this point.

James Baldwin: Just to be clear, it is Phase 1 we will be voting on, correct?

Bond & Gerald: Yes

Bill R. from 131 Briarcliff Court: Have the proposed driveways along Golf Course Road been approved by PENNDOT due to the density of their locations? In Monroe Township, where I am on the Zoning Hearing Board, we could not do this. **Bond:** We have reviewed this and it's permissible according to the Borough Ordinance.

Doug: This is not a PENNDOT road, so they have no jurisdiction, however, Bond was asked to review this by the PENNDOT standards too.

Bond: Thant's right.

Doug: Our engineer HRG must review the plan still.

Bill R.: Well, what if a kid kicks a ball out into the road? **Doug:** What if a kid kicks a ball out on the same road from the yards behind the homes along Greenbriar, Crestview, or Rolling Ridge? There may be a fence, but a ball will easily roll under it. All parents must watch their own children regardless of a fence or barrier.

Paul from 50 Rolling Ridge Dr: It just seems like you just jammed in as many lots as you could for the max money.

Virginia: Now wait a minute, excuse me but this is exactly what we asked them to do. They have been here 3 times before this and each time we have asked them, and they have added more lots as we asked. We were concerned that this is the last buildable land in the Borough and wanted to keep the tax base as high as possible. They are using Fogarty's Design for much of what they have submitted which. Fogarty's Designs have already been approved for a long time. They came back this time by shrinking the lots to single-family sizes and developing the common areas you didn't want to take care of. You have more homes that Fogarty and Haubert was offering which is what you said you wanted.

Doug: They have done the same thing Fogarty did, and Faylor-Middlecreek was the original developer/designer prior to Fogarty purchasing the development and they did the same by making as many lots as possible. There is no difference in methodology. You see, the Venture Group LLC had a meeting with the HOA Board members and invited the planning commission. They discussed this and the Developer was told by the HOA members that the number of homes was too low and would lessen the potential tax base, he should use their restrictions since they are close, or at least consider them, that they should have their own walking trail because only Rolling Ridge residents are to use their trails, and specific house sizing and designs should be used. There was discussion on who enforces the HOA for the developer.

Angie from 109 Woodsedge Drive: Will the dirt & junk piles be removed, and the area cleaned up or are you leaving that for each owner to do?

Bond: Yes, we will clear it out.

Pat Young: The corner of FoxGlenn and Lot 1 shows a parcel without an owner ... will you purchase it and take care of it?

Bond & Gerald: Can you show us?

Pat shows them and us.

Gerald Stauffer: We will research this, and I will purchase it if it is not already part of the package but to my recollection, everything is being purchased.

Bond: I will check this out and the deeds and make sure we are purchasing it too.

Pat: Common Space, wetlands, etc., who will maintain these areas?

Bond & Gerald: We will for now and see where it goes. It will be maintained but by whom may change in the end.

Pat: Please understand that we are liable to maintain the wetlands per our current deeds and restrictions placed on us. This will need to be transferred when sold to release us.

Bond: Understood.

Seth from 42 Rolling Ridge Dr: Who installs the infrastructure (utilities, sidewalks, streetlights, trees, fences, signs, street signs, etc..... things like we have, you? or the homeowner?

Bond and Gerald: We will look into this and respond.

Doug: They were asked this, and they will be developing the listing of what they will be doing. Understand that it doesn't have to match yours because they are separate from Rolling Ridge.

Angie from 109 Woodsedge Drive: What about the bus stop along Golf Course Road with all those driveways??

Dale Pfeil: That will be addressed by the School District. The parents will be told where the kids gather to get on the bus.

Bond: That's correct.

Angie from 109 Woodsedge Drive: Can't shared driveways be used?

Gerald: We will discuss this with Berk's Homes.

Bill R. from 131 Briarcliff Court: You can't do that because it's not allowed anymore. We won't let you at Monroe Township without a variance and we won't let you.

Doug: Please understand that the Zoning Hearing Board doesn't render a decision except for variances, special exceptions, and conditional uses under the Milton Zoning Ordinance. What we are discussing falls under the Milton SALDO (Subdivision Land Development Ordinance) Ordinance which is reviewed for meeting the requirements by the planning commission and then to the Borough Council for the decision of approval.

Bill R. from 131 Briarcliff Court: Well, we approve it.

Doug: Maybe under township regulations but not under the Borough's. The SALDO is a completely different ordinance than the Zoning Ordinance therefore the Borough Council rules the SALDO and the Zoning Hearing Board rules the Zoning Ordinance along with the Borough Council for Ordinance adoption and the granting of Conditional Uses. The PA MPC (Municipal Planning Code) is very clear about this. We understand that shared anything like driveways, utility services, etc. is not a good idea and many municipalities have Ordinances not allowing this because residents cannot share expenses and cannot get along which just promotes feuding.

Gerald: I agree Doug and I'm not sure how Berk's Homes feels about it but I will check it out.

Gerald: Pat, the Northumberland County GIS shows us owning that parcel.

Pat: Will you please double check for us?

Bond: I will check out and the deeds and make sure we are purchasing it too.

Mark B from 3 Westfield Ct: So just one driveway for each single-family home in Phase 1 & Phase 2 since it's all single-family? Foxglenn will remain closed / dead end?

Bond: Yes, this is a different plan than Fogarty had.

Wayne 133 Woodsedge Dr: So, you are asking for the Borough Council to approve this?

Bond: Yes

Doug: You all need to understand that they are asking for Conditional Approval, so they don't need to come back in front of the planning commission for phase 1 again. The planning commission is only a recommendation body that reviews and gives comments to the borough council and recommends either approval or denial. Other agencies will need to send their comments back to me, including HRG Engineering, the NC Conservation District, NC Planning Commission, Etc. Once all conditions are met and revisions made then this will be submitted to the Borough Council for review and approval. Then the plan will be signed as required and recorded. Phase 1 construction documents will then be submitted to me and HRG for approval for buildout. Phase 2 will follow the same procedure and Phase 1 did.

Bill R. from 131 Briarcliff Court: Are their deed restrictions similar to ours?

Gerald: Similar.

Pat Young: Yes, I have seen what they will be asking.

Seth from 42 Rolling Ridge Dr: I'm still concerned about the driveways, sight distances, approaches, sidewalks, etc.

Bond: We addressed the driveways. We will be asking the Council for a waiver of the requirements for the sidewalks "to nowhere" along Golf Course Rd, and for the sideyard setbacks to be 10' minimum rather than 12' Minimum.

Paul from 50 Rolling Ridge Dr: Yeah, to jam in the lots.

Virginia: Any other comments or concerns ... we don't want to hear it later that you didn't have the opportunity to speak or ask questions.

Doug: Asks the audience to quiet down because the planning Commission cannot hear each other.

9. Decision on the proposal of Item # 8:

Virginia: Hearing none, is there a motion?

Dale Pfeil: Motion to recommend approval by the Borough Council for the submitted Subdivision Plan Phase 1 with the condition that all requirements of the Borough Council, and the Borough Engineer, NC Conservation District, NC Planning, and other required agencies are met.

Charles Swartz: 2nd the motion.

Virginia: That's right we forgot the waivers they are asking from Council. Dale do you wish to amend your motion?

Doug: I feel that those items should be separate motions.

Dale: I Agree.

Virginia: There is a motion on the floor made by Dale and a second by Charles. All in favor say "I".

All: I

Virginia: Motion carries. Additional motions?

Dale: I make a motion to recommend the Borough Council approves the waiver request of (1.) Omitting the requirement for Sidewalks for the new homes along Golf Course Road; and also, the waiver approval that the sideyard setbacks be 10' minimum rather than 12' minimum for Phase 1.

Charles Swartz: 2nd the motion.

Virginia: There is a motion on the floor made by Dale and a second by Charles. All in favor say "I".

All: I

Virginia: Motion carries.

10. **OLD BUSINESS: PC-2023-05**

A review, for a recommendation to the Milton Borough Council, for the proposed Multi-Family Use Land Development Plan, made by the HANDUP Foundation.

Planning Commission questions:

11. Decision on the proposal of Item # 10: **The presenters asked to table this until after the Special Exception approval is obtained.**

Motion to _____ by: _____
2nd by: _____ Motion: _____

12. **NEW BUSINESS: PC-2023-06**

A review for a recommendation to Borough Council of the proposed Conditional Use, by Mr. Milton LLC, for Technical School Use utilizing the existing parking lot of 697 Lincoln St and the office(s) of 417 N. Arch St..

Planning Commission questions:

Doug: this must be tabled as the zoning amendments have not been made therefore there is no Conditional Use for Technical Schools under the Manufacturing Zoning District yet.

13. Decision on the proposal of Item # 12:

Doug: This must be tabled as the zoning amendments have not been made therefore there is no Conditional Use for Technical Schools under the Manufacturing Zoning District yet.

Motion to _____ by: _____
2nd by: _____ Motion: _____

14. **OLD BUSINESS: PC-2022-01**

A review for a recommendation to Borough Council to advertise and adopt the proposed Zoning Ordinance amendments.

Planning Commission questions:

15. Decision on the proposal of Item # 14:

Dale: This must be tabled as some of us have not been able to review all of the amendments to the Zoning Ordinance. Virginia asks for a special workshop for the commission on July 20, 2023, at 5pm to discuss the amendments and anything else pertinent to the commission.

Doug: I will check with Jess and the solicitor to see if we need to advertise for the Sunshine Act.

Motion to _____ by: _____
2nd by: _____ Motion: _____

16. Anything else to come before the Planning Commission:

Meghan Beck: Asks for the Planning Commission to consider her request to add the "schools use" to the Conditional Use section of the Manufacturing Zoning District Regulations so that her client can use 2 rooms as classrooms for their "alternative education" for children who can make it in mainstream and require special instruction.

Doug: Are these students the same as those who went to "Path" and "Bethesda"... the worst of the worst?

Meghan: Oh no... no! Again, these are students who need special help.

- 16A. Decision on the proposal of Item # 16:

Virginia: We will discuss this on July 20th.

Doug: We will need to come up with separate conditions for each type of school and define them too.

17. Motion to adjourn by Dale Pfeil and 2nd by Dick Specht. Motion passed.