

CENTER TOWNSHIP
419 Sunset Drive
Butler, PA 16001
Phone: 724-282-7805
FAX: 724-282-6550

PLANNING COMMISSION
Regular Meeting Minutes
February 22, 2006

CALL TO ORDER: The regular meeting of the Center Township Planning Commission was called to order at 6:30 p.m. by Chairman Ken Frenchak.. The meeting was held at the Township Building at 419 Sunset Drive, Butler, PA 16001.

ROLL CALL: Present, in addition to Frenchak, were members: Jeff Olen, Bob Paroli, and John Keffalas and Township Engineer Ron Olsen. Bob Sloan was absent.

MINUTES:

- 1 Olen made a motion to adopt the minutes of the January 25, 2006, Regular Meeting. Paroli seconded. Motion carried unanimously.
2. Paroli made a motion to adopt the minutes of the February 1, 2006, Public Hearing. Olen seconded. Motion carried unanimously.

PUBLIC TO BE HEARD: John McCandless of Muddy Creek Drive, was present with Patrick Crow, FPA representative, to permit the Planning Commission to have an information gathering discussion. The Chairman read a letter from the Chief of the Unionville Volunteer Fire Company which gave wholehearted support by the Fire Co. for a tower in this section of the township because Fire, EMS, and State Police are constantly complaining about having no cellular service during emergency situations in the northern and eastern section of Center Township. Crow was advised to canvas property owners in the M-1 Zoning District to see if anyone is interested in putting a tower on their property, also, was advised to submit a request to rezone the property.

REZONING REQUEST: A request has been submitted and a public hearing held to change parcels of land from R-1A to R-2 owned by Eva Aubrey First Family LTD partnership, John & Delsie Heist, Betty Coroian, and Mark Thomas, parcels 2F104-23DAA, 2F104-13E, 2F104-13F, and 2F104-S7B. The Chairman read a letter from Vice-Chairman Robert M. Sloan as follows: "It is my opinion that the rezoning request proposed by Mr. Aubrey, and the plan to develop as presented to the Planning Commission, is a good plan. I believe this plan would be good for the continued development of the Twp and is a good use of the land. I believe this is not spot zoning and the plan is consistent with the comprehensive plan of future development for the Twp. It is also my opinion there is little opposition to the plan by the bordering neighbors based on the turnout at the public hearing. However, I must vote NO to the request based on one point only. I have great concern about the possibility of future litigation between the Twp and Mr. Adkins. As of this writing it is my understanding the original suit between Adkins and Aubrey has not yet been publicly settled. Mr. Aubrey has also stated he has a personal suit against Mr. Adkins is in process and is currently still pending. Until such time that all litigation has been completed, I believe it is in the best interest of the Twp to vote no to the rezoning request."

Chairman then called for a poll of the vote: Frenchak voted no. He said he has mixed feelings just as Bob stated the low turnout from the bordering property owners. If it were not the fact of the litigation, I probably would have voted differently. Keffalas voted no. He said there has been no resolution of the sewage issue. He does not agree with Ken, there were enough complaints from the neighbors. Olen voted no. He said this rezoning request is for the economic benefit of the developer and the parcels can be developed as they stand. Paroli voted no. He said the people were against this rezoning and had good reasons for being against it. I think it can be developed as its zoning is now without changing the zoning. Keffalas added that this area doesn't have the necessary infrastructure. Motion carried unanimously.

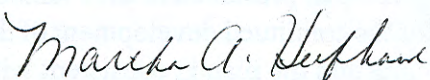
SUBDIVISIONS & LAND DEVELOPMENTS:

Albert Kuzora, 1640 North Main St. Ext., Land Development #06-01-01, preliminary approval: Wm. McGarvey and Thomas Kuzora presenting. Olen made a motion to recommend approval of the request for a modification so that the existing buffer can be approved as the required buffer for this area next to the R-1 Zone. Keffalas seconded. Motion carried unanimously. Olen made a motion to recommend preliminary approval contingent upon the garage being listed as "proposed accessory structure (garage)" on the plan, a note on plan that a traffic impact fee may be due, and a signature line added for the second owner of the property. Paroli seconded. Motion carried unanimously.

MISCELLANEOUS:

1. Olen made a motion to amend the minutes of the Planning Commission Public Hearing held on 12/5/05, the first paragraph in the Public to be Heard section, line 3: Remove 13E and 13F and insert 13A, 13A1, 13B, and S7BA. Paroli seconded. Motion carried unanimously.
2. Olen reviewed the as built ordinance draft provided by Olsen Eng. This ordinance will be voted on at the March meeting.
3. Olen discussed the following items: Shady Lane retaining wall not built as presented; numerous problems in the Stratford Heights development such as walk width, storm water; and the use Pierrel is making of the storage buildings on his property.

ADJOURNMENT: Frenchak made a motion to adjourn at 8 p.m. Olen seconded. Motion carried unanimously.



MARTHA A. HUFHAND
Township Secretary