

CENTER TOWNSHIP

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Martha Hufhand, Township Secretary

PLANNING COMMISSION

Public Hearing - Heist-Diehl Rezoning

December 5, 2005

6:30 p.m.

CALL TO ORDER: The Public Hearing for comment on the request to rezone the Heist and Diehl properties on Duffy and Mercer Roads 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 were Chairman Frenchak; Vice-Chairman Jeff Olen; Secretary John Keffalas; members Bob Paroli and Bob Sloan; Township Secretary Martha Hufhand; and Court Reporter Cheryl Morris.

PUBLIC TO BE HEARD: Chairman Frenchak said that the purpose of this public hearing is to hear comments from residents in the Township regarding the request to rezone from R-1A to R-2 approximately 58 acres, Map & Parcels S7 B, 2F104 13E, and 13F, of property on Duffy and Mercer Roads. Applicants are Clifford, Russell, Randall & Craig Diehl and W. Phillip Heist, Wilbur Phillip Heist, Jr., and Barbara Heist. Residents within 300 ft. of the property requested to be rezoned were notified of the public hearing by mail. Notice of the public hearing was advertised in the Butler Eagle November 18 and 25, 2005.

C J Campbell, 364 N. Duffy Road, Expressed concerns about water and sewage and said the many retirees in the area needing to know what the time line is so that they can be prepared.

Murray Cohn, 785 Mercer Road, said that if the Zoning Hearing Board had reasons to turn the previous rezoning down, the supervisors should have listened to them. He said he is not trying to block usage of this property, it would be nice for single family homes. Traffic with multiple dwellings would be horrendous. He said this would not be for the betterment of the Township, it is a case of abject greed.

Following the previous citing of this as a request by Aubrey, the Chair clarified by noting that this is a request from the Atkins Group.

Nancy Mikan of 205 S Links, Butler Township, is against a road going near her home. She noted that it is all guess work as to what will be built there.

Debbie Ward, 117 Aubrey Drive, Butler Township, said that someone at the Dept. of Agriculture told her that the type of soil and the water in that area would not conducive for high density building.

Ed Latuska of 113 Lakeshore Drive said that unless things changed from the last time, this would be even worse spot zoning, case closed.

Attorney Matthew Marshall spoke on behalf of the applicants, noted the properties being discussed as described above. He said the current applicants do not have site plans at this time. Appropriate plans would be provided if the request to rezone is approved. He noted the benefits to the township with R-2 zoning in this area. He said that R-2 zoning is consistent with the emerging life style with people wanting low maintenance homes. He asked that the record of the March 26, 2005, hearing be incorporated in these minutes, and the exhibits in the record in the summer of 2005. Jeff Olen said that since this is a totally different request, these items cannot be incorporated into the minutes. Marshall said the applicants would disagree with that.

Bob Brandon, 499 N. Duffy Road, questioned the reason for the procedural flaw in the previous process. Marshall said that it had to do with action taken within a certain time period. He said that he thinks Cox who was doing a good job for the township was not re-elected because of his vote on the previous request to rezone, which means the township spoke loudly.

Richard Hein, Peters Lane, said this is a completely different plan. One property is landlocked. It goes against the comprehensive plan. He said the Atkins plan is nothing positive at all for the township.

Murray Cohen said that what he is hearing is that this would be buying a pig in a poke.

George White, Palmer Road, asked if the parcels in the summer plan are going to be developed, and the Chair advised that what you see tonight is what the planners know and what they will make their decision on.

Mikan asked if the commissioners normally vote for zoning changes without knowing what might be put in. She was advised that it is known that whatever is permitted in the ordinance for any zone would be permitted to be put there once a change is made. A developer could say one thing when requesting the change and circumstances could change and anything permitted in the new zone would be permitted.

C D Laughlin, 328 N. Duffy Rd., expressed concern about another road, and questioned the control of the project the township would have. He was advised that any developer has to follow the ordinances for any project and the Planning Commission will be responsible for assuring that the plan meets the ordinance requirements.

There were no further comments from the public. Chairman Frenchak said that due to the complexity of this request, a decision will not be rendered until the December 21, 2005, regular meeting of the Planning Commission.

ADJOURNMENT: Keffalas made a motion to adjourn at 7:15 p.m. Olen seconded. Motion carried unanimously.