

The meeting of the Towanda Borough Planning Commission was held on Wednesday, January 23, 2013 at 5:30 p.m. in the council room of the Towanda Municipal Building, 724 Main Street, Towanda PA.

The meeting was called to order by James Lacek.

**Members Present:** James Lacek, Keith Long, Evelyn Sherburne, Erin Groves, Mark Christini

**Members Absent:** Larry Kacyon, Shannon Clark, Ed Ulatowski, Jimmy Lacek

**Visitors:** James Haight, Thomas Fairchild, Leonard Frawley, Kevin Tama, Dennis Phelps

### **Public Hearing**

A public hearing is being held to review the request of Trehab, Inc. for a Special Exception for apartments on the second floor and above in the C-2 Zoning District at the 400 block of Main Street. This project is a partnership with Towanda Borough.

Mr. Fairchild noted that as a result of the February 2006 fire that destroyed buildings in the 400 block, the borough applied to DCED for a \$500,000 grant to purchase and demolish buildings involved. This involved two property owners, lawyers and insurance companies. In 2009 proposals for this area were requested and three were received. Trehab was the proposal selected. The proposed project is on a lesser scale than the original and will be a 5 story multi-use building with 39 one-bedroom apartments on the upper floors and a community room and commercial areas on the first floor. It will also include a parking area for 200 cars although the preliminary design is not completed yet.

Under the Borough Zoning Code – Section 325-17C, apartments on the second and higher floors in C-2 zoning is allowed through a special exception. According to Section 325-42A - special exceptions, as enumerated in §§ 325-12 through 325-19, shall be permitted only upon authorization by the Zoning Hearing Board pursuant to review by the Planning Commission in accordance with §73-71D, provided that such uses shall be found to comply with the following requirement as other applicable requirements as set forth in this chapter: the use is a permitted special exception as set forth in §§ 325-12 through 325-19. The definition of “special exception as noted in §325-81 of the Towanda Borough Zoning Code: a use which because of its unique characteristics requires individual consideration in each case by the Planning Commission and the Zoning Hearing Board as specified in Article IX before it may be permitted in the districts enumerated in Article III, §§ 325-12 through 315-19 and the Zoning Schedule. In accordance with the provisions of this chapter, the Planning Commission and the Zoning Hearing Board may require certain conditions and safeguards before such a use is permitted.

Mr. Haight noted that this is not considered a large scale development as it is one building. The parking regulations require one space per unit. It is a permitted use and will be built in accordance with the International Building Code.

After further discussion regarding ownership, taxes, income levels for residents etc. a motion was made by Mrs. Groves and seconded by Mrs. Sherburne to approve the request for a special exception for the proposed 400 Block development by Trehab and Towanda Borough beginning and ending with the dates of the grant period. The motion was passed unanimously.

The public hearing was adjourned.

Planning Commission Meeting

A motion was made by Mrs. Groves and seconded by Mr. Christini to approve the minutes from February 21, 2012. The motion was passed.

As there was no further business, this meeting was adjourned at 6:18 p.m. on a motion made by Mr. Christini and seconded by Mrs. Groves.

Respectfully submitted,

Helen Wilcox  
Recording Secretary

The meeting of the Towanda Borough Planning Commission was held on Tuesday, February 19, 2013 at 5:30 p.m. in the council room of the Towanda Municipal Building, 724 Main Street, Towanda PA.

The meeting was called to order by James Lacek.

**Members Present:** James Lacek, Keith Long, Evelyn Sherburne, Erin Groves, Larry Kacyon

**Members Absent:** , Shannon Clark, Ed Ulatowski, Jimmy Lacek, Mark Christini

**Approval Minutes**

A motion was made by Mrs. Groves and seconded by Mrs. Sherburne to approve the minutes from January 23, 2013. The motion was passed.

**Reorganization**

Mr. Kacyon made a motion, seconded by Mr. Long to nominate Erin Groves as Chairperson. The nominations were closed and the vote unanimous.

Mrs. Groves made a motion seconded by Mr. Kacyon to nominate Mr. James Lacek as Vice-Chairperson. The nominations were closed and the vote unanimous.

As there was no further business, this meeting was adjourned at 5:46 p.m.

Respectfully submitted,

Helen Wilcox  
Recording Secretary

The meeting of the Towanda Borough Planning Commission was held on Tuesday, June 18, 2013 at 5:30 p.m. in the council room of the Towanda Municipal Building, 724 Main Street, Towanda PA.

The meeting was called to order by Erin Groves.

**Members Present:** Erin Groves, Larry Kacyon, Shannon Clark, Ed Ulatowski, Jimmy Lacek,

**Members Absent:** Mark Christini, James Lacek, Keith Long, Evelyn Sherburne,

### **Approval Minutes**

A motion was made by Mr. Kacyon and seconded by Mrs. Groves to approve the minutes from February 19, 2013. The motion was passed.

### **New Business**

#### **Yard Sales**

The Towanda Borough Council requested the Planning Commission look into an ordinance regulating the number of “yard sales” in the borough. There had been a letter from a resident stating a resident had yard sales every weekend and it caused a problem with traffic and is causing a dangerous situation.

The matter was discussed along with viewing sample ordinances and it was the feeling of the commission to leave as things are at this time. If there is a problem with one person it may be beneficial to just speak to this person and let them know there is a problem with the number of sales being held each year and the problems it is causing. Mrs. Groves made a motion that was seconded by Mrs. Clark not take any action at this time. The motion was passed.

It was also noted that “yard sale” signs are being posted on utility poles. Mrs. Groves made a motion, again seconded by Mrs. Clark that because the PUC Code covers the illegality of this action, there is no action needed by the Planning Commission. The motion was passed.

### **Act 13 of 2012**

Mr. Jonathan Foster, Jr. presented a proposed Ordinance amending the Zoning Ordinance of Towanda Borough to ensure compliance with the local ordinance uniformity standards and other requirements of the Unconventional Gas Well Impact Fee Act (Act 13), which amends Title 58 (the “Oil and Gas Act”) of the Pennsylvania consolidated Statutes; and to allow for the reasonable development of oil and gas resources in the Borough while properly protecting the health, safety and welfare of the residents of Towanda Borough. This would allow conditional uses such as well-sites, containment ponds, etc. This compliance deadline has been pushed back several times; the current deadline is by July 1, 2013; however according to Mr. Frawley, if the Supreme Court upholds Act 13 as constitutional it may grant a grace period. If Towanda Borough is not in compliance, and the Act is upheld, it would affect the money received from the impact fees of the gas and oil industry. It was noted that the gas companies are not using areas less than 10 acres and it would highly unlikely anything would be done in Towanda Borough. Mr. Kacyon made a motion, seconded by Mrs. Clark to have Towanda Borough Council consider approval of this ordinance. The motion was passed.

As there was no further business, this meeting was adjourned at 6:18 p.m.

Respectfully submitted,

Helen Wilcox  
Recording Secretary