

**BRIGHTON TOWNSHIP PLANNING COMMISSION**

**MINUTES OF DECEMBER 7, 2015**

Mr. Maze called the November 2, 2015 meeting of the Brighton Township Planning Commission to order at 7:33 P.M. The meeting was located in the Brighton Municipal Township Building, 1300 Brighton Road, Beaver, PA.

PRESENT: Jeffrey S. Maze, Chairman  
William L. Snider, Vice-Chairman  
Mark Piccirilli  
Michael Purton  
John A. Weber

STAFF: Bryan K. Dehart, Township Manager  
Kathryn L. Johnston, Solicitor

ABSENT: Tim O'Brien, Secretary  
Jenny Strang

No visitors were in attendance.

**Minutes of the November 2, 2015 Regular Meeting:** Mr. Weber made a motion, seconded by Mr. Purton, vote unanimous, to approve the minutes of the November 2, 2015 Regular Meeting.

**Crumrine Lot Consolidation Plan:** A lot consolidation plan has been filed to consolidate lots 202 and 203 In the Crumrine Plan No. 2. The property is located at the corner of Tuscarawas Road and Darlington Road. The Commission reviewed the plan prepared by Pringle-Nero Land Surveying, Inc. dated October 26, 2015, the Township Engineer's review letter dated November 2, 2015 and the Beaver County Planning Commission review letter dated November 12, 2015. Mr. Dehart reported that the PA DEP Sewage Planning Module for the on-lot system has been approved. The final plan has been revised to include the revisions recommended by the Township Engineer.

Mr. Weber made a motion, seconded by Mr. Purton, vote unanimous, to approve the Crumrine Lot Consolidation – A Consolidation of Lots 202 & 203 In the Crumrine Plan No. 2 as prepared by Pringle-Nero Land Surveying, Inc. dated October 26, 2015, last revised November 19, 2015.

**Smyda Plan of Subdivision:** This plan subdivides an existing property into two lots. The Commission was provided copies of the site plan prepared by Pringle-Nero Land Surveying, Inc. dated October 22, 2015, the Township Engineer's review letter dated November 2, 2015, the BTSA Engineer's review letter of November 13, 2015 and the Beaver County Planning Commission review letter dated November 12, 2015.

The application indicated that each lot is for the construction of a duplex to be accessed with a common driveway. However, when the plan revisions were submitted earlier in the day, Chester H. Smyda advised that the lots are now proposed as single-family lots, and the share access has been eliminated. It was noted that an extension of the public sewer line is required to provide service to the proposed lots. The Sewage Authority engineer also recommended that a private sewer easement be provided along the rear property lines of Lot Nos. 2A & 2B as future access for Lot No. 3 in the Joseph E. Smyda Plan No. 3. Mr. Smyda. Mr. Smyda does not wish to provide that access easement as part of the plan approval.

The Commission discussed the issue of the private sewer easement. The purpose is to provide public sewer access in the event the on-lot system on the adjacent lot would fail. There is no other access to public sewage. In the Commission's opinion this is a reasonable request. An option to include a portion of the easement on the adjacent lands of Brighton Township was also discussed.

Mr. Purton made a motion, seconded by Mr. Weber, vote unanimous, to approve the Smyda Plan of Subdivision, A Subdivision of Lot No. 2 in the Joseph E. Smyda Plan No. 3 as prepared by Pringle-Nero Land Surveying, Inc. dated October 22, 2015, last revised December 7, 2015, subject to:

1. Compliance with the review comments of the Brighton Township Sewage Authority Engineer's review comments of November 13, 2015 requiring the applicant to enter into a Developer's Agreement with the BTSA and the posting of financial security.
2. PA DEP Sewage Planning Module postcard waiver approval.
3. The addition of a private easement to provide access to public sewage for the adjacent property identified as Lot No. 3 in the Joseph E. Smyda Plan No. 3.

**Subdivision and Land Development Waiver Request for Tower Based Wireless Communication Facility:** Matt Walker of Elevated Properties LLC attended the October Planning Commission meeting to discuss a future application for the construction of a new communications tower. A formal application has not yet been submitted. However, Mr. Walker has submitted documents to support their position that a waiver from a subdivision application is warranted. The Board of Supervisors will make a determination on this request at their meeting of December 14, 2015. Ms. Johnston discussed the documentation submitted by Mr. Walker. The case referenced is a federal decision applying PA law. Of two PA cases discussed in this federal opinion the first included an application for a tower extension that did not have additional site development associated with it. Another applied to billboards. She has provided the Township Solicitor with additional documentation for his preparation of a recommendation for the Board of Supervisors.

**Township Greenway and Trail Plan:** The second community-wide public meeting for the Greenways and Trails Plan was conducted on September 28<sup>th</sup>. No follow up meeting has been scheduled to date.

**Zoning Code Amendments:** The Commission has been discussing possible changes the Township Zoning Code. At the November meeting the Solicitor distributed a first draft of an ordinance amendment. These included definitions for Bar/Tavern, Boarding House, Nightclub and Restaurant. The parking regulations and zoning regulations for each of these had been drafted. The Commission discussed the addition of greater setbacks for some uses adjacent to parks, churches, daycares and similar uses. This concept will be reviewed further.

**Additional Business:** Mr. Dehart apprised the Commission on a pending application before the Zoning Hearing Board submitted by Roberts Oil Company for continuation of a non-conforming use at the Gypsy Glen Service property on Gypsy Glen Road. This will be reviewed in more detail at the Commission's January meeting to determine if the Commission wishes to recommend that the Township Supervisors take a position on the application and appear at the hearing.

Mr. Dehart updated the Commission on pending MS4 processes being implemented by the Township. This includes the pending inspection of stormwater BMPs, initiating regular inspections of construction sites and establishing a process whereby individual lot BMPs will be required to be installed as part of new home construction based upon the total additional square footage of impervious surfaces being created.

**Adjournment:** Mr. Weber made a motion, seconded by Mr. Purton, vote unanimous to adjourn the meeting at 8:52 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Manager