

## **BRIGHTON TOWNSHIP PLANNING COMMISSION**

### **MINUTES OF NOVEMBER 7, 2022**

Mr. Snider called the November 7, 2022 meeting of the Brighton Township Planning Commission to order at 7:30 P.M. The meeting was conducted at the Municipal Building, 1300 Brighton Road, Beaver, PA. Three (3) visitors were present.

**PRESENT:** William L. Snider, Chairman  
Karen Green, Secretary  
Christopher Dugan  
Mark Piccirilli  
Kimberly Radler

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

**ABSENT:** Jeffrey S. Maze, Vice Chairman  
Tim O'Brien

**VISITORS:** Justin A. Smith, 202 Woodview Drive  
William Sheerin, 4270 Dutch Ridge Road  
Tod Arbutina, 4533 Dutch Ridge Road

**Minutes of October 3, 2022 Regular Meeting:** Ms. Radler made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the October 3, 2022 Regular Meeting.

**Ordinance - Zoning Code Amendment for Private Swimming Pool:** The Board of Supervisors will conduct a public hearing at 6:00 P.M. on November 14, 2022 on the proposed ordinance to amend the Zoning Code, Section 195-123 Private Swimming Pools. The Commission was provided with a copy of the review comments of the Beaver County Planning Commission dated October 19, 2022.

**Ordinance – Zoning Code Amendment Keeping of Chickens:** The Board of Supervisors will conduct a public hearing at 6:15 P.M. on November 14, 2022 on the proposed ordinance to amend the Zoning Code, Section 195-137.11 Keeping of Chickens. The Commission was provided with a copy of the review comments of the Beaver County Planning Commission dated October 19, 2022.

**Ordinance - Zoning Code Amendment for C-2 Mixed Use:** The Commission has been discussing changes to increase the maximum building size for the distribution and warehousing use in the C-2 Mixed Use District. This was pursuant to a request by a land owner in the District who discussed the development of his property with this use or a flex-space building. At the

October meeting the Commission decided to conduct an overall review of the C-2 Mixed Use District as part of any changes that would permit larger size buildings within the C-2 Mixed Use District. The Solicitor and Manager prepared a first draft to outline changes to the Zoning District. The draft incorporated the comments and suggestions from prior meetings. Mr. Dehart presented the draft for the Commission's review and discussion.

The draft includes new and revised definitions, including new uses. Existing uses that are not defined are Distribution and Warehousing, now identified as Distribution Center (Warehouse), and Self-Storage/Mini-Warehouse. Definitions have been prepared for those uses. The Self-Storage/Mini-Warehouse use is made into two definitions, Exterior and Interior. The definitions for Heavy Industrial and Light Industrial uses are revised to more clearly distinguish the different characteristics between the two uses. Two new uses are added and defined: Flex Space and Truck/Motor Freight Terminal. Mr. Dehart said that the Flex Space use is added to more specifically define the type of land use Mr. Sheerin discussed at prior meetings, and is the use in the draft ordinance that has larger permitted building square footage compared to other uses.

Mr. Dehart reviewed the draft ordinance with the Commission. Under the current ordinance Distribution Center (Warehouse), Heavy Industrial, Light Industrial and Research and Development Facilities are permitted up to 30,000 SF of building area with larger buildings permitted as part of a mixed use development. However, there is no maximum size provided for the use within a mixed use development. The draft proposes establishing a maximum building size when proposed as part of a mixed used development. After discussion it was proposed that the maximum be 60,000 SF of building area. Other conditions include:

- (a) Shall have an area of not less than ten (10) acres.
- (b) In addition to the building setbacks required by §195-100.E, delivery vehicle parking and delivery/shipping areas shall not be located closer than 200 feet from a residential district boundary or residential use within which area a buffer yard C (major) shall be provided, consistent with § 195-137.1.
- (c) All materials and equipment shall be stored within a completely enclosed structure or shall be limited to storage in the rear yard and screened from the view of adjacent properties and shall not be located closer than 200 feet from a residential district boundary or residential use within which area a buffer yard C (major) shall be provided, consistent with § 195-137.1.
- (d) Loading areas that accommodate two or more tractor-trailer trucks shall be located and landscaped or screened by decorative masonry walls, in a manner that will minimize their visibility from any public street, residential district or residential use. Loading docks for tractor-trailer trucks shall not be located along the front façade of buildings nor along a public or private street.
- (e) Access roads and driveways shall not be located closer than 75 feet from a residential district boundary or residential use within which area a buffer yard C (major) shall be provided, consistent with § 195-137.1.

(f) Regardless of the number of trips expected to be generated, a traffic access and impact analysis study shall be completed in compliance with § 195-137.2

(g) Compliance with § 195-137.13 is required.

The draft ordinance lists a maximum square footage of 80,000 SF for a Flex Space Use as a Conditional Use. Mr. Sheerin stated that he was hoping this use would be permitted up to 120,000 SF. After review and discussion, it was changed to 100,000 SF of building area.

Mr. Arbutina asked how a minimum lot size of 3 acres was established for the Self Storage use. Mr. Dehart said that no changes to the conditions for that use are being proposed, other than the use now being defined. Mr. Arbutina thought a smaller lot size should be established and asked the Commission to give it consideration.

The Solicitor and Manager will also conduct a review of the Form and Character provisions in the C-2 Mixed Use District to verify they are consistent with the site design guidelines contained within the Subdivision and Land Development Code. They will also review the setback provisions within the Zoning District to determine there are no conflicts between the proposed setback conditions with the underlying setback requirements. The Commission also discussed if multiple buildings would be permitted on a 10-acre minimum lot. If so, a maximum lot coverage should be established.

Part of the discussion included a possible zoning map change as part of the C-2 revisions. A draft zoning map change was presented by Mr. Dehart that shows the western portion of Mr. Sheerin's property being rezoned to an R-1 Rural Residential Zoning District. Mr. Dehart used the approximate location of a gas line that traverses the property as the dividing line between the two districts. The location of the gas line right of way needs confirmed. The rezoning would also include 4550 Dutch Ridge Road.

The Solicitor will place the ordinance proposal and zoning map change into final ordinance form for the Commission's consideration at the December meeting.

**Ordinance – Zoning Code Amendment Buffer Yard Requirements:** The Commission was presented with a first draft of proposed changes to Zoning Code Section 195-137.1 Buffer Yard Requirements. These changes were recommended by the planner for Lennon, Smith, Souleret Engineer as part of her overall review of the Zoning Code. It updates the recommended size and density of plantings, as well as the species. Mr. Dehart reviewed the draft. The Commission asked the Solicitor to place the proposal into final ordinance form for the Commission's consideration at the December meeting.

**Comprehensive Plan Action Steps:** The Commission previously discussed what action steps they wish to start with for the new plan. The initial review concentrated on changes to the Subdivision & Land Development Code. The Solicitor and Manager have met with the Township Engineer to begin drafts of the text changes to that Code. Prior reviews concentrated on the Zoning Code.

**Additional Business:** There was no additional business.

**Adjournment:** Ms. Green made a motion, seconded by Mr. Piccirilli, vote unanimous, to adjourn the meeting at 8:37 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Manager