



BEAR CREEK TOWNSHIP

PLANNING BOARD

Chairman

Joseph Yenchik

Vice Chairman

Anthony Ciliberto

Board Members

Richard Kresge, Jr.

Michael Parri

Rose Andrews

November 20, 2006 Planning Board Meeting Minutes

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The meeting commenced at 7:00 pm with all Board Members present. Also in attendance were Mr. Jack Varaly, Pasonick Engineer and Attorney William Vinsko.

The minutes from October 2006 were approved with a motion made by Richard Kresge and second by Anthony Ciliberto. All Board Members were in favor of approving the minutes.

AGENDA ITEM: Mack Minor Subdivision

Harold Ash, Pasonick Engineering was in attendance representing the Mack Subdivision agenda item.

The Mack Subdivision is now considered a Major Subdivision due to conveyances from the original tract that were not re-recorded on the Deed. Based on this, the subdivision now needs to come back to the Planning Board before the next Supervisors Meeting which is December 4, 2006 to reflect the additional adversities. Recommendation for this Subdivision is contingent upon Mr. Ash submitting a Deed to the Chairman of the Board for signature, reflecting additional adversities and specific language needed by November 30, 2006. An automatic extension for the Mack Major Subdivision will be in effect for 60 days (i.e. February 17, 2007) should Mr. Ash fail to comply with this request. If the request is not met by November 30, 2006 a letter will be sent from the Planning Board to the Board of Supervisors for a 60-day time extension.

A motion was made by Chairman Yenchik and second by Michael Parri to Approve the Plan subject to reflecting additional adversities and language by November 30, 2006 and if that information cannot be procured, an extension for Mack Major Subdivision will hold for 60 days until the next Planning Board Meeting on February 17, 2007. All Planning Board Members were in favor.

AGENDA ITEM: Major Land Development and Zoning Issue – Community Energy

Ray Wendoloski, Attorney for Community Energy and Dave Shadle, Project Manager represented Community Energy on this agenda item.

Community Energy presented their final As Built Plan to the Planning Board Members. Various topics were discussed including water drainage, leasing on only .5 acres of land for the O & M Building, Holding Tank and Zoning issues and options. Because the As Built Plan differs from the original Plan, the Board requested that elevations of the top of the concrete pads of all Turbines be listed on the Plan with pipe

dimensions and locations referenced to show drainage. The Plan scale 1-400 would satisfy the Planning Board. The O&M Building, built on .5 acres of land, needs to be addressed either at the zoning board for a lot variance or through the property owners to increase their lease to 2 acres. CE needs to provide 12 volumes for inspection of the Plan to Mr. Kratz to verify information for final clearance. The minimum amount of acreage that can be used for constructing a building in BCT is two (2) acres. Mr. Shadle and Attorney Wendoloski agreed to explore the avenues suggested by the Planning Board and would return to the Board at the next meeting

The Major Land Development Plan cannot be approved by the Planning Board for less than 2 acres of land. The parcel of land that the O & M building sits on is .5 acres and would need to go to the Zoning Board for a variance.

NEW AGENDA ITEM: Proposed Zoning Boundary Amendment – James & Patricia Lewin

Mrs. Lewin stated her property was rezoned 10 -12 years ago without her knowledge. She is requesting that we recommend for approval that her property be returned from C1 to R1 as it was originally so in the future she can subdivide if needed. Mr. Varaly Township Planning Consultant explained the steps needed to follow to resolve this matter.

1. The Planning Board would need to recommend to the Supervisors the change from C1 to R1.
2. A Letter of recommendation would go to the Luzerne County Planning Commission for comment that could take approximately 30 days.
3. The Board of Supervisors would have a public hearing for any comments and would need to be advertised in local newspapers 2 weeks prior to the public meeting.

A motion was made by Chairman Yenchik and second by Richard Kresge to recommend to the Bear Creek Township Board of Supervisors the Proposed Zoning Boundary Amendment for James & Patricia Lewin to have their property put back from C1 to R1. All Board members were in favor.

NEW AGENDA ITEM: Proposed Outdoor Wood Burning Ordinance

Mr. Jack Varaly updated the Board Members on regulations pertaining to the Proposed Outdoor Wood Burning Ordinance requested by the Board of Supervisors due to numerous complaints from residents. Mr. Varaly stated that because there were no statewide regulations in Pennsylvania by DEP to regulate these wood burners, he found small townships creating their own ordinances. At this point any complaints from residents would fall under BCT Nuisance Ordinance as a Health & Safety concerns with fines being issued until the Proposed Ordinance is approved. Mr. Varaly outlined the Ordinance regarding permits, property lines distances, and structure and common sense regulations. He also stated a building permit cannot be issued without Zoning Approval.

A motion was made by Anthony Ciliberto and second by Chairman Yenchik to approve the Recommendation of the Proposed Outdoor Wood Burning Ordinance. All Board Members were in favor.

MISCELLANEOUS:

Mr. William Haas spoke on the Trialwood Lake Road which has created a hardship for the residents in that area due to a bridge being washed out during the last storm. Supervisor Bonnie Wasilewski reiterated that Luzerne County Commissioner Steve Urban stated the job would be fixed shortly. Attorney Vinsko stated that General Municipal Authority signed and delivered the documents to the city and is on the Mayor desk waiting for a signature.

A motion to adjourn the Planning Board Meeting was made by Richard Kresge and second by Anthony Ciliberto. All were in favor.

The meeting adjourned at 9:05 pm.