

BELLEFONTE BOROUGH PLANNING COMMISSION
MEETING MINUTES
October 26, 2015

Present: B. Dannaker, K. Clark, C. Dickman, J. Mills, D. Johnson,

Excused:

Staff: Vana Dainty

Guests: (?) Gay; Jeff Bowman; Jim Dunne; Rod Beard; J. T. Newlin; Nancy (?)

Call to Order

- Mr. Dannaker called the Bellefonte Borough Planning Commission meeting to order on Monday, October 26, 2015 at 5:00 PM.

Approval of the Minutes

- Mr. Clark made a motion to approve the Planning Commission meeting minutes of September 28, 2015. Ms. Dickman seconded the motion. In the second paragraph it, the fifth line down it should state park "on the practice field" rather than park "there". A voice vote was unanimous to accept the minutes as corrected.

Land Development Activities

- Land Subdivision Plan for Bellefonte Historical Properties – Rod Beard, managing member of Bellefonte Historical Properties. It consists of his wife and him. They purchased the brownstone building at the corner of Allegheny and High Street a little over five years ago. The deed included extra ground. It included the entire strip of ground along the back of the Crider Exchange Building. Part of the arrangement in the agreement of sale was to sell that property, which would take care of the subdivision process. Mr. Beard would like to get the properties appropriately separated and get things cleaned up. It is just a matter of drawing a line along the building wall of the brownstone building and the Crider Exchange building and extending it to the rear of the property to the alley near the YMCA. They have entered into a boundary line agreement with the YMCA. There was a question regarding the exact location of the boundary line between the Crider Exchange property, Mr. Beard's property, and the YMCA. They entered into an agreement with the YMCA once the surveyor, Mr. Gay, identified where would be an appropriate location for that boundary line. Now they need to subdivide the brownstone property off the remaining portion. Once that is done Bellefonte Historical Properties will convey that parking lot area back to Mr. Wisner and put deeds on record to reflect the appropriate descriptions. There was no land development. It doesn't affect storm water. The parking area is along the rear of the Crider Exchange building. Mr. Beard will have the YMCA sign and two parking spaces. The apartment above the Brownstone is a residential apartment. That was put in by conditional use in 1993. As part of that conditional use permit there was a requirement that two parking spaces go with that building. Mr. Wisner is not in agreement with that but Mr. Beard doesn't know what else to do. Ms. Dainty said when the Zoning Hearing Board makes a decision that decision stays with that property always. Mr. Beard is not sure that Mr. Wisner will sign the agreement. The boundary line agreement is not yet recorded but the deeds have been signed. Mr. Clark feels this makes sense and is the only way to solve the problem.

Mr. Beard is requesting approval to establish the line that goes along with the building line. Since the agreement was done in 2010 Mr. Beard is obligated to convey that back.

Ms. Dickman has concern that Mr. Wisner may have a new survey or plan done that doesn't agree, but she feels this plan looks fine.

Ms. Dickman made a motion to approve the plan pending County approval and the signature of Mr. Wiser on the plan. Mr. Clark seconded the motion. A voice vote was unanimous. Ms. Dainty needs \$35.00 to take a copy of this to the County.

- Land Development Plan for moving of the Freight Building to Talleyrand Park – A set of drawings were provided for the Planning Commission members to review on the computer. Jeff Bowman, Sweetland Engineering, presented a hard copy of the drawings full size drawings for the members to review. The Freight Building will be moved to Talleyrand Park next to the Train Station. They made sure the building will be out of the floodway. They have met the 20' stream bank placement. They are in the flood plain in that location. The flood plain elevation is between 747 and 748. The 748 elevation is just on the other side of the train bridge. Originally they planned to put the finished floor elevation at 748 but they are working with the architect to bring it up further. They want to be sure anything with wood on the building is above the flood plain. The building is approximately 750 square feet. Don Franson, the Borough Engineer, said they don't reach the threshold for storm water requirements. For the ENS plan the disturbance is small enough that they are not required to do an NPDS permit for the project and they are not required to submit to the County Conservation District. They are required to have a plan in place for any work. They talked to the district DEP concerning being so close to the stream to be sure there weren't any requirements beyond the ENS requirement. There were no further requirements so they did not need to review the project. The entire property was not surveyed, but Sweetland Engineering did survey the piece of property that borders the railroad tracks to be sure that property was tied down and they weren't on the railroad property at all. They are outside the railroad right-of-way. In the Waterfront Business District there are zero side setbacks. There is a front setback, but that would be High Street. This will be setting on a solid foundation. The lower level will not be used for anything. The building will be approximately 4' off the ground. The architect is proposing raising the building to 748.67.

The plan is to build an ADA accessible ramp on the side by the railroad tracks. The building will have electricity but not water. The building will be open when the park restrooms are open. Mr. Dunne does not know where the electricity will come from. The outside lighting has not been determined yet either.

There will be a brick walkway that isn't shown on the plans because it will be done by the Borough. There was a concern on safety. The railroad will be installing a fence at the edge of their right-of-way that will match the park fence. Ms. Dainty reported the building needs to be moved hopefully this year. Hawbaker wants the building moved so they can spread out a pile of dirt on the waterfront property.

The Planning Commission would prefer if all three parties would come together and submitted a preliminary for the area similar to the Waterfront Project so they could have the whole picture. They would like something that would indicate who is responsible for the other pieces and something that would state that the railroad is committed to putting some sort of fencing up and that the Borough is planning to extend the brick walk. Mr. Dunne stated the railroad will install the fence whether the Freight Building is moved or not. Ms. Dickman feels the rail stuff was listed in the Transportation Plan that was up for public comment, but it wasn't finalized.

Mr. Dunne stated the Borough will own the building and it will be leased to the BHCA. The idea is to maintain most of the current look in the building. Some of the existing windows will be able to open to the outside. Ms. Dainty reminded the Planning Commission doesn't review the inside of the building. She said the Planning Commission needs to determine if they will allow the building to set there. They meet all the setbacks. They are off the right-of-way of the railroad. They have met all the requirements. Everything being asked is good questions but it doesn't involve placing the building there. Ms. Dickman feels the condition should be pending what the railroad plan is for a fence along there because of safety issues. Mr. Clark asked if it could be specified that it is only for placement of the building so they could get it moved and the plan would indicate that. Ms. Dainty feels that could be done but she isn't sure what the County would do with that.

Ms. Dainty said the Planning Commission is basically looking at the stuff regarding moving the building. They are out of the railroad right-of-way. It is up to the Borough to put the paving there as well as do the lighting because it is Borough property. Mr. Stewart and Ms. Dainty reviewed this. The Planning Commission feels perhaps the Borough should be the applicant or at least at the meeting stating their plans for the future. Ms. Dainty stated it went to Borough Council before coming to the Planning Commission because Council waived fees that would normally be paid. Ms. Dainty said it is a complicated legal situation.

Mr. Clark made a motion conditional approval to allow the relocation of the freight building as shown on the plan. The approval was strictly for the relocation as shown and did not cover any other items required by zoning, planning, or code ordinances such as sidewalks, lighting, utilities, ADA access items. It is understood that various parties are responsible for these items and each party will be required to obtain the necessary approvals. Ms. Dickman seconded the motion. A voice vote was unanimous.

Ms. Dainty informed Mr. Dunne that the building cannot be moved until the County comments come back. The County has thirty days to look at it. The County has not waived their fee.

Information/Discussion Items

- Change to Ordinance Section 500-39 Procedures Part B

Old Business

- None.

New Business

- Mr. Dannaker received a letter from the Reading & Northern Railroad. The SEDA-COG owns the railroad and it is operated by an independent person. They state that SEDA-COG has run the railroad wrong. He received a letter from SEDA-COG today countering what the previous letter said. They have offered to come to a meeting and provide information about the JRA and invited the Planning Commission to come to a regular meeting, which are held on the (?) Wednesday of each month at 12:30 p.m.

Ms. Dickman said this is the third time they have tried to pressure SEDA-COG to release the railroads recently. It comes down to certain groups wanting to do certain things in the railroad right-of-way and certain groups not wanting to allow certain things to happen in the railroad right-of-way. The current position with SEDA-COG is that they are not proponents of Rails with Trails. They are very particular about keeping their right-of-ways safe and keeping the liability down and not having issues. There are other groups that want different ownership so they can have Rails with Trails.

Information Items

- None.

Adjournment

Having no further business Mr. Mills made a motion to adjourn the October 26, 2015 meeting of the Bellefonte Borough Planning Commission at 6:45 PM. Mr. Johnson seconded the motion. A voice vote was unanimous.