

ATHENS TOWNSHIP PLANNING COMMISSION  
Regular Meeting  
May 2, 2016

The regular meeting of the Athens Township Planning Commission was called to order on Monday, May 2, 2016 at 7:08PM by Chairman, Scot Saggiomo.

Present: Scot Saggiomo, Ron Reagan, Clif Cheeks, Marion Carling, Jason Rogers, Ed Reid, Zoning Officer, Skip Schneider, Township Engineer, John Thompson, Township Solicitor and Secretary, Elaine Daddona. All others in attendance signed a sign-in sheet hereby attached.

**AUSTIN EXCAVATING & PAVING, INC. #16-03**

Timothy S. Gourley, P.E. of Dietz-Gourley Consulting, LLC was present with the applicant, Michael Austin of Austin Excavating & Paving, Inc. for a land development located at Tax Parcel 9-008.01-003 along Wildwood Road, zoned Agricultural. William (Skip) Schneider, Engineer for Athens Township was present as well as John Thompson, Esquire, Solicitor for Athens Township, to review this application. The following documents were received on February 16, 2016 by the Zoning office: Application for review of a land development; Project Narrative dated February 15, 2016; Mine Sequence Drawings; Stormwater Management Plan dated February 11, 2016; Deed; Driveway Permit Application dated February 15, 2016; Noise Study for the proposed mine by Acoustic Design Studio dated Sept. 28, 2012; Wetland Investigation Report by Larson Design Group dated May 2010, verified June 30, 2015; USCOE Preliminary Jurisdictional Determination dated August 6, 2015; Pa. Dept. of Environmental Protection Large Noncoal (Industrial Minerals) Mine Application dated February 15, 2016 (216 pages & 7 exhibits); PADEP Air Quality Permit Conditions; FEMA Firmette: Map Number 4205C0201E Effective date October 16, 2014; Decision of the Board for Conditional Use dated November 15, 2015; and Response to December 7, 2015 correspondence; (3) copies of Application for Township Road Occupancy Permit dated Feb. 12, 2016; and Driveway Plan dated February 9, 2016 prepared by Dietz-Gourley Consulting, LLC.

Check #7700 from Austin Excavating & Paving, Inc. dated Feb. 15, 2016 in the amount of Five Hundred (\$500.00) Dollars was received by the Zoning Office for the filing fee, along with Check #7702 in the amount of One Thousand Five Hundred (\$1,500.00) Dollars dated Feb. 15, 2016 (receipt dated February 23, 2016 by the Zoning Office); and Check #7701 in the amount of Twenty-five (\$25.00) Dollars made payable to the Bradford County Treasurer for the review fee (receipt dated Feb. 23, 2016 by the Zoning Office); and Check #7704 in the amount of Twenty-five (\$25.00) Dollars (receipt dated Feb. 23, 2016 by the Zoning Office) for the Driveway Permit application (Pending LD approval).

Project Narrative states that Austin Excavating & Paving, Inc. proposes to permit and operate a sand and gravel mine at their property along Wildwood Road (T-122) in Athens Township. A portion of the parcel is within the 100-year flood plain. The majority of the parcel is utilized for agriculture along with a permitted surface mine at the southwest portion of the parcel. The northwest portion of the property is a low-lying area along an unnamed tributary to the Susquehanna River.

Applicant proposes to extract sand and gravel from approximately 61 permitted acres (49 acres to be disturbed) to meet market demands. The estimated life of mine is approximately 20 years.

Timothy Gourley, P.E. of Dietz-Gourley Consulting, LLC presented an overview of the land development for the Planning Commission and addressed his response comments which include the revisions in his letter dated April 25, 2016 to the receipt from Skip Schneider, P.E. of CEI Engineering in his correspondence dated March 29, 2016, a copy of which is attached for reference.

Skip Schneider of CEI Engineering was present and stated that based on his review of the application revision submittal, he had no additional comments and found that the outside agency approvals, road bonding, and zoning permit for trailers are the remaining outstanding items, a copy of this review is attached for reference.

Following the review of the Engineers, Scot Saggiomo asked if there were any questions of anyone in attendance. Robin Smith, resident of Wildwood Drive, expressed concern for the width of the road in the area of the swamp and asked if the Township Supervisors would be bringing the road back to 33 feet if the project is approved. This would need to be addressed by the Supervisors at the time of approval of the land development. Sue Williams, a resident of Wildwood, stated that this was zoned Agricultural and that mineral extraction is allowed but felt that the extraction would not be for industrial use or processing for a commercial operation. The Planning Commission stated that this needed to be addressed with the Supervisors as the Planning Commission only makes a recommendation, and final approval of the land development rests with the Supervisors.

Motion by Ron Reagan to review for Preliminary Plan approval, second by Marion Carling, and motion unanimously carried. A checklist was completed and the following deficiencies were noted:

- 1) Need owner's signature on the Plan.
- 2) Need all the necessary permits and agency approvals that are required.

- 3) Need an updated letter from Hunt Engineers concerning the road study.
- 4) Road bonding will be required.

Motion by Ron Reagan, second by Marion Carling to recommend Preliminary Plan approval to the Supervisors at their special meeting to be held on May 18, 2016 at 6:00PM contingent upon resolution of the deficiencies, and motion unanimously carried.

**LEGACY MOTORS #16-05**

Dave Young, P.E. of JHA Companies was present along with the applicants, Thomas and Kristin Shores, for a proposed land development for an automotive sales facility located at 2202 and 2218 Elmira Street (SR 1069) which is currently Yales Music and a residence, zoned Commercial. William (Skip) Schneider of CEI Engineering was present also as the review Engineer for Athens Township. The following documents were received by the Zoning Office on April 11, 2016: Application for review of land development; Site Plan drawings dated April 11, 2016; Combined E & S Control and Stormwater Management Plan Narrative; Project Narrative; Project Cost Estimate; Project Construction Schedule; Project Site Deed; Power of Attorney; Will Serve letters from water and gas utilities; and Pre-Lease Agreement with David R. and Donna J. Yale dated April 9, 2016. Transmittal of documents states that a combination deed will be prepared for the two parcels to be combined into a single parcel; that the project has been submitted to the Bradford County Conservation District for an Erosion and Sediment Control review; that the project has been submitted to the PA Department of Transportation for a low volume Highway Occupancy Permit; and that there are no deed restrictions anticipated.

Check #1760 dated April 9, 2016 from Thomas R. and Kristin A. Shores was received by the Zoning Office (receipts dated April 15, 2016) for the filing fee in the amount of Five Hundred (\$500.00) Dollars, along with Check #1761 dated April 11, 2016 for the Engineer review fee in the amount of One Thousand Five Hundred (\$1,500.00) Dollars, and Check #1762 dated April 11, 2016 made payable to the Bradford County Treasurer in the amount of Twenty-five (\$25.00) Dollars for the County review fee.

Project Narrative states that the land development is proposed to combine the two existing parcels into a single 1.33 acre parcel.

Currently the northern parcel is the site of a single family residence, while the southern parcel is the location of the existing Yale's Music Shop business. The project is being developed as an automotive sales facility, which is a permitted principal use in the

Commercial District. The existing residence in the northern portion of the project site is currently being demolished. The existing music shop will be renovated into a sales office and vehicle preparation facility. The developer intends to lease the development site from the current owner. The proposed business anticipates two employees. Business hours will be 9AM to 5PM Monday through Saturday. Vehicles will be delivered to the developer's North Towanda location for preparation prior to delivery to this site. The largest vehicle anticipated at this site is a single unit delivery van.

Dave Young stated that they anticipate four rows of parking for the display vehicles and require an area for the employee parking for a total of 37 spaces. The owner plans to rehab the existing Yale's sign, and no lighting plan is planned for the site due to their hours of operation. He stated that there are three (3) curb cuts presently, and that they had met with PennDOT and they will require only two driveways. He stated that the residence is to be demolished, that the owner wants to pave the parking area only and leave the area for the display vehicles gravel if possible.

Skip Schneider, review Engineer, submitted his review for this project in his letter dated April 25, 2016 to the Planning Commission and a copy of same is attached for reference.

Motion by Jason Rogers to review the Preliminary Plan for land development, second by Clif Cheeks, and motion unanimously carried. A checklist was completed and the deficiencies are as listed in the letter of Skip Schneider dated April 25, 2016.

Motion by Jason Rogers, second by Clif Cheeks, to recommend approval to the Supervisors at their meeting to be held on May 25, 2016 at 7:00PM, contingent on resolution of the deficiencies, and motion unanimously carried.

**CONDITIONAL USE HEARING REVIEW - AQUA, PA**

The Athens Township Supervisors requested a review of an application for a Conditional Use Hearing for a proposed Utility Supply Facility on Center Street in a letter dated April 29, 2016.

The Planning Commission reviewed the application and recommend that the applicant make application to the Zoning Hearing Board for a Use Variance.

Motion by Ron Reagan to approve the Minutes of April 4, 2016 as read, second by Jason Rogers, and motion unanimously carried.

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The meeting was adjourned at 9:05PM as there was no further business to discuss.

Respectfully submitted,

Elaine Daddona, Secretary