

ROSS TOWNSHIP PLANNING COMMISSION

MONTHLY MEETING

September 17, 2024

The Ross Township Planning Commission regular meeting scheduled for September 17, 2024, was called to order by Vice-Chairman Rick Meixsell, at 7:00 pm. The meeting was held at the Township Municipal Building.

In attendance were the following Planning Commission Members: Vice-Chairman Rick Meixsell, Roger Green Jr, Herb Stecker, David Labar, Frank Piraino Jr and Lauri Lapping. Chairman Roger Christman was absent.

Also in attendance were Attorney Michael Gaul, of the King Spry Law Firm, Planning Commission Solicitor and Township Alternate Engineer Tighe Meckes, from Keystone Consulting Engineers.

APPROVAL OF MINUTES:

A motion to approve the minutes of the August 20, 2024 meeting as presented was made by Herb Stecker and seconded by Roger Green. The motion carried unanimously.

COMMUNICATION:

None

OLD BUSINESS:

Catherine Andrews – Land Development Plan – (Extension 1/26/25)

Attorney Joe Wiesmeth, Daniel Saunders and Chris McDermott, of Reilly Associates, were present on behalf of the applicant.

Chris McDermott stated that revised plans had been submitted to show updated topography done by LIDAR to provide more accurate slope analysis of the property. He also stated that there is a closed depression on the property which would act as a natural stormwater runoff detention area that would reabsorb any runoff from the proposed development. He did not see any evidence of stormwater leaving from the depression of the Property.

Attorney Wiesmeth reiterated that they are not asking for a waiver from the requirement of complete Erosion Sedimentation and Stormwater Plans, but are looking to have a decision made on approval of the proposed road access to the Property from Kunkletown Road prior to spending time and money moving forward with the aforementioned plans. Being that Mr. Saunders does not own the property upon which the road access is located, they do not feel certain requirements, such as widening the access road to a width of 50ft, may apply. They have also received signed letters from the other homeowners of Elmer Drive stating they approve of Mr. Saunders use of the current accessway. All homeowners are also in agreement that Ross Township would not be responsible for the maintenance of the road.

Attorney Gaul stated that the applicant's initial submitted documents indicated that the total addition of impervious surfaces would be 3,500 sq.ft. The applicant's revised plan now states that a total of 8,000 sq.ft. of new impervious surface will be created. Analysis and a Stormwater Plan would need to be completed by an engineer to show how such changes would comply with the Township's Stormwater

Ordinance and SALDO. Mr. McDermott also explained that a pipe had been added under part of the driveway to help keep water from flowing over the drive at a certain point.

Solicitor Gaul stated that, in accordance with the SALDO, the surface for the driveway must be able to support the load of a full-pumper truck. As the applicant is proposing adding a gravel drive, it may be required to be somewhat compacted to become substantial enough. The Plan contains no details regarding the construction of the driveway or the access road. Attorney Wiesmeth again stated that they are not looking to avoid having to comply with any of required plans, those being for erosion, sedimentation and stormwater plans, but instead to have an answer on whether or not the proposed access would be able to be approved prior to spending the time and money needed. The current plans have been submitted to the Monroe County Planning Commission, but not to the Conservation District, because less than one acre of earth disturbance is anticipated.

Attorney Gaul next read from the SALDO that all new subdivisions and land developments are required to have adequate and safe access to a public road system. If a preexisting lot of record abuts an existing private street that does not meet Township standards, the lot owner may allow access for a single principal use. The existing access for Ms. Andrews' property does not meet Township standards. There already is a single principal use on her property.

Attorney Gaul stated a Title Search should be completed to determine if prior transaction impact the proposed roadway. Attorney Weismeth agreed that title work would be helpful and agree that his client would obtain one.

Further comments from Attorney Gaul, in regards to those previously stated in the prior meeting, included the need for certified notarization and the relabeling of various items within the plan including the removal of Daniel Saunder's name, changing the name of the plan preparer to Mr. McDermott and deleting the reference to the architecture firm.

Mr. Meckes stated that with the latest slope depictions provided of the property, the location of the house and septic appear to be in an agreeable location, but would need to be confirmed with the stormwater management plan. Mr. McDermott also stated that while no wetlands specialist had been to the site, that he had seen no evidence of any wetland areas on the property. Also, that there were no areas of the property listed on wetland inventory maps. He said Mr. Meckes has been invited to go out and observe the property himself for further review towards runoff management. Attorney Gaul reiterated that the stormwater plan is still required under the Stormwater Ordinance and SALDO along with submission of the original plan for land development, and a stormwater management agreement that may be required. He said that the Township would expect that a note would be added to the plan that there are no wetlands on the property.

There was further discussion amongst Attorney Wiesmeth, the Planning Commission and Solicitor Gaul over the definitions of various accessways provided under the SALDO and whether the proposed access way constituted a private street or a private driveway. Solicitor Gaul stated that he considered the accessway a private street, and not Ms. Andrews' private driveway, as it was not on her property, and it served multiple lots and houses. Solicitor Gaul also stated that he did not consider the neighbor acknowledgement letters an acceptable common maintenance agreement. At a minimum, it would need to be in a recordable form and provide for future maintenance and financial responsibility allocation. The Township has an interest in seeing that a properly binding Maintenance Plan is in place to ensure all properties are able to be accessed safely by emergency services and to maintain responsibility for the road conditions outside of the Township's responsibility.

Vice-Chairman Meixsell produced a Subdivision Plan the Recorder's office had provided him which appeared applicable to the lots adjacent to Ms. Andrews and the private road access. Mr. Saunders stated that the map involved land further away from Catherine Andrews' property.

Attorney Wiesmeth concluded by requesting a letter from Attorney Gaul delineating all requested requirements that had been discussed. Attorney Gaul agreed and will provide it in time for Attorney Weismeth to work on a response prior to the next meeting.

A motion was made by David Labar, and seconded by Herb Stecker, to table further discussion on the Plan until the next meeting. The motion carried unanimously.

NEW BUSINESS:

Robert E. Andrew Estate – Minor Subdivision Plans for Acceptance

Engineer Tighe Meckes stated that the plans were received too late for review prior to the meeting and that the applicant asked to be added to the next meeting's agenda for review.

Roger Green made a motion, seconded by David Labar, to accept the plans for review for the October 15th Planning Commission Meeting. The motion carried unanimously.

OPEN TO THE PUBLIC:

There was no public comment.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:42 pm. The motion to adjourn was made by Herb Stecker, seconded by Roger Green and carried unanimously.

Respectfully Submitted,

Lizzy Stortz
Temporary Recording Secretary