

WELLSBORO PLANNING COMMISSION – OCTOBER 26, 2011

CALL TO ORDER: Planning Commission Chairperson Ron Comstock called the meeting to order at 7:00 p.m. in the conference room of the John E. Dugan Fire Station-Municipal Building at 28 Crafton Street, Wellsboro, PA. 16901.

ROLL CALL: Planning Commission present were Ron Comstock, William Yacovissi, Richard Black, Kevin Connelly, James Prevost, Lou Prevost, Sue Trescott, Gus Vargas and Assistant Secretary Florence Martino

PLEDGE TO FLAG: The pledge of allegiance to the flag was given by all present.

MINUTES: Jim Prevost made a motion to approve the minutes for September 28, 2011 seconded by Sue Trescott, motion carried 8-0.

NEW BUSINESS: PROPOSED DEVELOPMENT ON SEARS STREET- Charlotte Czyzykowski stated they had owned the property for twenty years. She said they attempted to sell the property four years however several realtors had dropped us due to whenever they would get an interested party in purchasing the property they discovered a problem from the past. When Mr. Pier died the property was divided between his children and he had given each of them a right of way to Sears Street however it was never defined where the access would be. When we purchased the property from Mr. Crittenden we didn't even have access to Sears Street we needed to have a 50' right of way on his property. Charlotte Czyzykowski said Sears Street ends at the beginning of Crittenden' property. So we knew they had undefined right of ways however they all had others ways of getting out of their properties so we didn't think they would come through our property.

Mr. Czyzykowski said when we got the right of way from Mr. Crittenden we also gave him a right of way to the balance of his property. Then Mr. Signer wanted a right of way to the sewer line on English Street we gave him that and asked that he give up the right of way to Sears Street, looking back I never should of asked him to give that up. Mr. Czyzykowski said he would like to re-create the right of way to Sears Street. This would be for anyone who would want to get to Sears Street.

Charlotte Czyzykowski said if they were to do this it would create a lot more traffic and the borough would probably want to put a road in. Charlotte Czyzykowski said we do not want to make it a road. Charlotte Czyzykowski said a lawyer said their deed should state there is a right of way and if the neighbors who would use the road they would need to make it a road. Charlotte Czyzykowski said they haven't used the right of way in 40 years and on the real estate books it states there is a 19-year time period.

Charlotte Czyzykowski said if the Planning Commission gives permission for us to subdivide our property, the neighbors who would want to access Sears Street would need to make our driveway an acceptable road.

Charlotte Czyzykowski said the last time they presented a plan for three large lots however they were told the new owners would not be able to subdivide the lots. Mr. Czyzykowski asked how long it would be before a new owner would be able to subdivide a lot. Ron Comstock said he wasn't a lawyer however he thought as long as the current subdivision ordinance is in affect any person would be required to meet the requirements in the ordinance. Ron Comstock said it a new owner could subdivide, however there would be more requirements to be met. Charlotte Czyzykowski then presented a plan with seven lots.

Lou Prevost asked if the concerns of the Planning Commission had been addressed concerning the water table, storm water runoff and wastewater. Charlotte Czyzykowski said each new property owner would need to determine how he or she would address these concerns on each property. Charlotte Czyzykowski said there is a stream at the lower end of the property and they would meet with Superintendent Dieffenbach concerning the right size of pipe to carry the water.

Charlotte Czyzykowski said the one lot is 5+ acres it needs to be this large due to a stream going through the lot however there is a good site for a home out of the area of the stream. Charlotte Czyzykowski said the four top lots are also good sites for homes. Lou Prevost said the four are on a hillside. Charlotte Czyzykowski said the two lower ones are on flat land. Lou Prevost said he drove up there and viewed the

lot and four would be located on the hillside. Charlotte Czyzykowski said the properties have the same contour as the Signer's property. Charlotte Czyzykowski said there would be no problem for building homes on any of the lots. Charlotte Czyzykowski said Mr. Fisher's property is higher than our property and he is the person who has told the realtors that he would build a road through our property if we were to sell the land, this is the reason we have lost sales. Charlotte Czyzykowski said Mr. Fisher already has two ways of accessing his property.

Jim Prevost said the Planning Commission needs a substantial plan; there are still a lot of possibilities and questions on how you will develop the property. Jim Prevost said at the August meeting the Planning Commission recommended you bring a preliminary plan. William Yacovissi said this is still a sketch plan. Kevin Connelly said on previous boards that he had served on it had always been the obligation of the applicant to guarantee access to the purchaser's property. Kevin Connelly said what he understands here is that if he were to purchase the 1.7 acre parcel he would need to acquire access from the homeowner on Sears Street. Lou Prevost said the neighbor to the west is saying he wants to put a road thru the 1.7-acre lot to access Sears Street. Lou Prevost said this would certainly impact what could be done on that parcel of land. Charlotte Czyzykowski said that road would not benefit us. Charlotte Czyzykowski said the four homeowners would maintain the private drive they are proposing for the four lots. Kevin Connelly said in the prior discussion you said it would be the obligation of the new owners to be responsible for acquiring and maintaining the driveway. Kevin Connelly said in his mind he would think it would be the obligation of the applicant to acquire the access for the new lots.

Charlotte Czyzykowski said if we do driveway Mr. Fisher said he has the right to get to Sears Street however he doesn't say how he would access Sears through our property. Jim Prevost asked if they could get an agreement with Mr. Fisher. Charlotte Czyzykowski said no because when they had a buyer the realtor went to Mr. Fisher and asked what they could do for an agreement with him. Charlotte Czyzykowski said Mr. Fisher said if they were to buy him a three-acre right of way on another lot he would not go through their property. Charlotte Czyzykowski said he already has two ways of accessing his property. Charlotte Czyzykowski said we were to put in the driveway the borough could come and tells us it's not a driveway it's a road and say we would need to pave it and put in streetlights and other requirements, which are ridiculous in this area. Sue Trescott asked if they would expect borough services to these homes as in fire and emergency services and trash pickup. Charlotte Czyzykowski said they did not expect any of these services. Charlotte Czyzykowski said they want to state in the deed if Mr. Fisher decides to create a road it would be his responsibility to pay for the improvements needed to develop the road. Ron Comstock said to continue with a subdivision you would need to do two roads so emergency vehicles and borough vehicles could access the homes. Charlotte Czyzykowski said the cost to create roads would make the plan to expensive and they would not be able to afford it. Lou Prevost asked if they would sell the property as one parcel. Charlotte Czyzykowski said they have tried for four years and no one would buy that large of a lot in Wellsboro. William Yacovissi said in an area where the road will never be extended they could ask Borough Council to consider a private road.

Ron Comstock asked if they were selling the mineral rights with the lots. Charlotte Czyzykowski said she wasn't sure if the mineral rights would transfer.

Charlotte Czyzykowski said if they get an approved subdivision they may wait five years before doing anything. Kevin Connelly said they may want to check the period of time it may only be good for one or two years. Charlotte Czyzykowski said they will come back with the seven lots and will ask for exceptions. William Yacovissi said the concerns for water, sewer and storm water addressed. William Yacovissi asked if there deed would transfer to the new lots. Ron Comstock said they could approve the site plan however you would not be able to sell the lots until the roads and conditions are all met. William Yacovissi said they should talk to Secretary Keck concerning the zoning ordinance and requirements of the size of the lots.

UPDATE COMPREHENSIVE PLAN- RENTAL UNITS- Lou Prevost made a motion to change the recommendation to Borough Council to address only non-owner occupied housing and have the inspection/registration period in Section 4, changed from one year to six months, seconded by Gus Vargas motion carried 8-0.

Council President Hart said she had assigned Lonnie Campbell to the Safety Committee and the committee will bring their recommendations and concerns back to Borough Council.

CHAPTER 3 TRANSPORTATION- Lou Prevost said the next concern the public residents have is the traffic issues in downtown Wellsboro. Lou Prevost informed the Commission he had spoken with Brian Baker and with Mike Maustellar. Lou Prevost said Brian Baker had said the gas drillers would like to be able to get out of the traffic in Wellsboro. Lou Prevost said the first step is for the Borough Council to request a traffic study be done.

Lou Prevost said the commission should get the support of the Wellsboro Chamber of Commerce, the Rotary, the Lions Club, TCDC and the Soldiers & Sailors Hospital. We need to address issues of the tourist bureau; the concern of Route 6 being necessary to the town, when this was a concern Interstate 80 wasn't even constructed. Lou Prevost said we also need photos of the traffic on Main Street and East and Central Avenues. Lou Prevost said we should have the information available for the presentation, which the borough will need for the presentation to the Northern Tier. Lou Prevost said he thinks a by-pass would help the downtown businesses and the tourist business.

Lou Prevost said the next item is the map of the by-pass the black line starts at the Y-Drive, which is now the Shell Headquarters and goes through three townships. The red line is another option. William Yacovissi said he wasn't in favor of the map, he said when people see a map they only focus on the line and where it affects their property. William Yacovissi said Penn Dot would do the study and determine where the by-pass would be located.

Lou Prevost said he would like the members to be working on this so at the next planning meeting on November 18th the presentation could be developed and they could start contacting the local organizations to be on their agendas for the presentation.

Kevin Connelly said Wellsboro is a destination point, people travel to Wellsboro. Kevin Connelly said a by-pass would only detour people who had no intention of stopping in Wellsboro. Kevin Connelly said the truck traffic going through Wellsboro in interfering with Wellsboro being a destination point. Kevin Connelly said they need to inform the businesses or the business owners would come to Borough Council and be against the plan because they would think it would hurt their businesses. Ron Comstock said the by-pass would not affect the traffic on Main Street coming off South Route 287. Lou Prevost said we would need to meet with the gas companies and explain the cost of energy and fuel used by being parked on Main Street waiting for the traffic signals. Council President Hart said she was not for a by-pass she stated it hurt the business districts in Reading and Pottstown. Sue Trescott said it improved the downtown in Williamsburg, VA.

JOINT MEETING WITH DELMAR, CHARLESTON & DELMAR TOWNSHIPS- Lou Prevost said at the last comprehensive plan meeting the date of November 30th. Lou Prevost said the commission needs to vote on the date then could request having Secretary Keck send letters to the townships setting the date of November 30th.

SUMMARY OF IMPACTS OF NATURAL GAS DEVELOPMENTS- Ron Comstock said he attended the meeting with Joan Hart and Sue Keck, he said the main point was for communities to work with the gas companies. Ron Comstock said communities have to be careful when passing restricted ordinances because it affected everyone; it would hurt farmers trying to move farm equipment on the highways. Council President Hart informed the Commission the pipeline installation is currently in full force however once the pipelines are in most of the traffic will be gone in three years. Council President Hart said once the gas wells are drilled the workers will be gone. The presenters said communities which are building hotels and housing developments to house the workers will be empty, the workers will be returning to their homes. Ron Comstock said they had a store in Wellsboro and Mansfield and when the by-pass went around Mansfield before the gas companies came in the area Main Street was empty.

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Lou Prevost made a motion to agree to begin to put together information for a presentation to the five organizations for updating the comprehensive plan, seconded by Sue Trescott. Sue Trescott said she spoke with Jeff Cox the head of transportation for Shell and he said the traffic we have now would be doubled in another year.

Ron Comstock said he had a motion and a second and asked for questions. Kevin Connelly asked if the motion was to reach out to the organizations for their input on updating the comprehensive plan or voting on the by-pass. Lou Prevost said it was to gather information from the various organizations to present information to the borough council. Kevin Connelly said he would like more time to consider the by-pass; if the traffic would be gone by the time the by-pass was created there would be no need for the by-pass. Ron Comstock said Lou Prevost made a motion, seconded by Sue Trescott carried 8-0.

Lou Prevost made a motion to have the joint meeting on November 29th. Council President Hart recommended having the joint meeting at 6:00 p.m., and the regular meeting at 7p.m. Ron Comstock said it didn't need a motion just schedule the meeting.

Richard Black said Penn DOT will do a traffic study and that will tell how many cars and trucks will be off the streets in Wellsboro. This report will tell an estimate of cars

Richard Black said the commission worked on the plan to have the town the way we would like it to be. We should not have people coming and just presenting a plan and then saying that they could have exceptions to the ordinance. Kevin Connelly said they should have the plan they should not come to the commission for recommendations and plans. The members should not make suggestions or recommendations. They should present a plan and then we could recommend. Richard Black said they left tonight with the plan to do the seven lots and come back for exceptions to the zoning ordinance.

ADJOURNED: 8:35 p.m.