

ATHENS TOWNSHIP PLANNING COMMISSION
December 5, 2011

The regular meeting of the Athens Township Planning Commission was called to order on Monday, December 5, 2011 at 7:01PM by Chairman, Scot Saggiomo. Scot Saggiomo announced that a workshop was held by the Planning Commission on November 29, 2011 to review the submissions, that no decisions were made at that time and was for information only.

Present: Scot Saggiomo, Clif Cheeks, Martha Brennan, Marion Carling, Jean Stromick, Ed Reid and Cindy Parrish, Zoning Officers, Attorney John Thompson, William (Skip) Schneider, Township review Engineer, James Gensel, Township review Engineer and Secretary, Elaine Daddona. Sign-in sheet was available for all others present.

Comment [E1]:

Microtel Inn & Suites #11-26

Gary Burcher, representing the developer, WPAW Ltd., and Richard Zentner, owner contact, presented eight (8) copies of a revised Preliminary Land Development Plan prepared by Tim Jones, P.L.S. of Keystone Consulting & Associates, for a proposed hotel to be located at 1775 Elmira Street, dated November 18, 2011 and received by the Zoning Office on November 21, 2011. The following listed documents were also received: Copy of KCA response letters to Athens Township Zoning Office, CEI Engineering Associates, and Bradford County Planning Commission; Athens Township Planning Commission Application for Review of a land development plan; Land Development Proposal review checklist; Copy of Athens Township Zoning Hearing Board Decision dated September 14, 2011; Copy of e-mail from Ed Reid, Zoning Officer, dated November 9, 2011 regarding minor plan changes; copy of recorded Deed and receipt; PaDOT Deed and Subdivision map; PaDEP Sewage Exemption letter dated September 1, 2011 and previous associated transmittals; Utility "Will Serve" letters from Penelec, Valley Energy, Verizon, Aqua Pennsylvania, and Northern Tier Solid Waste Authority; KCA's Traffic Generation Narrative; Copy of PaDOT HOP approval letter dated November 7, 2011 with attached original application and questionnaire; Copy of KCA's project construction schedule and cost estimate; Copy of Operation and Maintenance Agreement(SWM BMP)and Stormwater Management BMP Operation and Maintenance Requirements; Copy of transmittal letter to the following agencies-Athens Township Zoning Office, CEI Engineering Associates, Bradford County Planning Commission; Bradford County Conservation District Transmittal letter dated September 28, 2011 with revised copy of

E&S Control Plan dated November 18, 2011; revised copy of Stormwater Management Plan dated November 18, 2011; Copy of SJB Services, Inc. Geotech proposal for site work quality control inspection, testing and reporting dated November 16, 2011; Copy of infiltration test procedures provided from NY and Maryland; and the Land Development Plan Set per Cover Sheet Index dated November 18, 2011.

Skip Schneider, the Township review Engineer, was present to review the submitted Plan with Mr. Burcher. Mr. Burcher stated the indoor pool had been removed from the previous Plan which changed the room count from 75 to 77 rooms and the building had been moved closer to the rear setback with the revised Plan. A revised Project Narrative was submitted which states this is a proposed new 77-room Microtel Hotel containing 1.64 acres. The project includes all associated utility connections and parking facilities. Currently the site consists of an existing produce stand served by the existing sewer line and several out buildings. The project will be served by the existing municipal water and sewer. Mr. Burcher also stated that the PaDOT Highway Occupancy application was issued to the Hurleys', prior owners, and had been resubmitted to change to the new owner, WPAW, Ltd.

Mr. Burcher submitted copy of the letter dated December 2, 2011 submitted to Skip Schneider, review Engineer, which was in response to the review comments of Skip Schneider to the revised Plan and documents submission dated November 28, 2011. Discussion of this letter and responses followed. Changes were made in draft form to accommodate the Athens Township Zoning Ordinance and SALDO requirements, and the revised Plan would be submitted to the Supervisors accordingly.

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

- 1) Need to submit a Sign Permit package for the Plan.
- 2) Need to correct the access drive radius to meet required minimum of fifteen (15)ft. in the Zoning Ordinance.

- 3) Provide the exemption letter from PaDEP and PennDOT Highway Occupancy Permit with correct number of proposed rooms.
 - 4) Need to correct dimension of ADA parking spaces on C-1 of the Plan.
 - 5) Pg. C-1: Need to correct the 5 feet minimum distance to the adjacent property corner at the access drive.
 - 6) Pg. C-2: Provide information about proposed sanitary sewer line and structures along the northern property line.
 - 7) Pg. C-3: Need to clarify where 6" curb is proposed due to labeling inconsistency.
 - 8) Pg. C-3: Generated proposed contours appear incorrect. 779 contour discontinues behind the building with no connection to the existing, 778 should appear along the northern property line.
 - 9) Pg. C-3: Inlet schedule conflicts with the pipe schedule for pipes 6 thru 8 (size and slope).
 - 10) Pg. C-3: Insufficient cover (1.2") over pipes behind the building.
 - 11) Pg. C-3: Conflict between sanitary sewer line and storm drain north of the building.
 - 12) Need to verify infiltration depth and existing material are correct
 - 13) Pg. H-1-2: Need to correct spelling of the property owners of Colin Radiven and Citizen's and Northern Bank
- Comments:
Pg. C-5: Correct botanical names in Planting schedule.
Zoning section 504F3 calls for annual inspections of underground facilities with subsequent report.

Elaine Daddona, Secretary, questioned the applicant regarding the fact that the original Land Development application had listed the property owner as WPAX, LTD and this had been changed on the revised Plan to WPAW, LTD. Mr. Zentner stated that WPAW, LTD was a subsidiary. Attorney Thompson stated that the applicant should therefore submit a notarized affidavit to the Zoning Office regarding this change.

Chairman Saggiomo stated that the Planning Commission would request the corrections to the Plan to be received by the Zoning Office one week to ten days prior to the Supervisors' meeting

which is scheduled on December 28, 2011 for a review of same prior to that meeting.

Motion to recommend Preliminary Plan approval to the Supervisors at their meeting to be held on December 28, 2011, contingent on resolution of the deficiencies, by Clif Cheeks, second by Martha Brennan, and motion unanimously carried.

Walmart Supercenter #2208-01

Skip Schneider of CEI Engineering was present to represent the applicant, Wal-Mart Real Estate Business Trust, along with Matt Turowski of Rosenn Jenkins & Greenwald LLP, Attorneys At Law and the Athens Township review Engineer, James Gensel for the review of a Subdivision Plan dated January 20, 2011 and received by the Athens Township Zoning Office on November 14, 2011 along with a Preliminary Land Development Plan last revised and dated April 12, 2011, Lighting Plan dated April 25, 2011 and Exterior Elevations and Sign Details (undated).

Skip Schneider explained that a guide rail along the south side of the main access drive and parking area along the west side of the proposed building to meet developer guidelines, that the PennDOT Highway Occupancy Permit had not been received, and the Traffic Impact Study was not complete. The Walmart pylon sign had been revised to a Walmart monument sign and the Planning Commission stated it would need to be moved back five feet (5') to the required twenty feet (20') of the ROW, and the "Will Serve" letter for the water had been submitted. The comments dated November 15, 2011 of CEI Engineering of Skip Schneider, along with comments dated November 30, 2011 attached and incorporated of the Athens Township Zoning Office were discussed by Mr. Schneider and the Planning Commission. Marion Carling asked about the number of employees relating to the parking spaces on the Plan. He stated that he had been given information that there were 262 current employees and the Supercenter would be 325. This would include approximately 60 daytime employees and the remainder are full-time and part-time employees and they need 125 total amount of employees during the day to run the store. A second shift of 40 full-time employees and 25 part-time employees would be employed as well.

A Truck Turning Exhibit prepared by CEI Engineering and dated November 16, 2011 submitted and received by the Zoning Office on November 28, 2011 was discussed by Mr. Schneider who stated that this had been submitted to PennDOT for approval. He stated a driveway permit for Winslow Street would be required from Athens Township for the Plan. Discussion followed regarding the Truck Turning Exhibit.

Christine Vough of 1057 Front Street, Athens, PA, recently elected as Athens Township Supervisor for 2012, asked if the Plan reflects a change to the LED lighting and the phasing plan, and Skip stated that the Plan did reflect a change to LED lighting. Skip explained there had been a workshop held recently here at Athens Township of the construction crew and that the phasing plan was included as part of the Land Development Plan.

Bob Smith, resident, asked for a definition of the phasing plan and questioned the number of parking spaces. This was answered in an earlier discussion. He also asked about whether or not there was a plan for storage containers and Mr. Schneider stated there was no plan for storage containers at the Supercenter.

Attorney Foster asked about the Storm water Plan during the construction of the new store and the operation of the old store. Skip stated that this was incorporated and identified as part of the phasing plan.

Skip Schneider stated that the Bradford County Conservation District approved the NPDES Permit by letter dated November 22, 2011 and received by the Zoning Office on November 28, 2011.

Attorney Foster asked about the size of the detention pipe that discharges on to the Roman Rosh property. Mr. Schneider explained that there is none, as the current pipe is proposed to be removed. He further stated that the water is infiltrated existing and proposed and if there is overflow, it will be infiltrated into the storm water system. There was further discussion as to overflow if there was an unexpected storm event and flooding. Mr. Schneider explained that there had been no flooding event from the recent storm event that had occurred

here in September. Attorney Thompson stated that he felt that Mr. Schneider had addressed that there was no need of a drainage release.

Roman Rosh submitted a seven-page document entitled Memorandum concerning issues regarding the proposed Walmart Plan. He also submitted photographs of the Elmira Street traffic regarding one of the issues in the Memo. Mr. Foster stated he would like to address each of the issues stated in this document with the Planning Commission, and accordingly discussion followed regarding the document. Mr. Rosh also submitted a number of documents regarding the drainage release to Attorney Thompson.

There was a discussion concerning the outside storage of carts and further storm water drainage discussion.

Bob Smith asked if there were proposed to be other stores in the Supercenter, and Mr. Schneider said "yes".

Walmart Supercenter #2208-01, Subdivision #09-03

Motion to review the Subdivision Plan for preliminary/final plan approval by Marion Carling, second by Jean Stromick, and motion unanimously carried. Checklist was completed and the following deficiencies were noted:

- 1) Lack of signature of surveyor on the Plan.
- 2) Lack of signature of the property owner on the Plan.

Motion by Clif Cheeks to recommend preliminary/final plan approval to the Supervisors at their meeting on December 28, 2011 contingent upon resolution of the deficiencies, second by Martha Brennan, and motion unanimously carried.

NOTE: Following the motion to recommend approval to the Supervisors for the Subdivision plan, Attorney Jonathan Foster questioned the Planning Commission concerning the fact that the drawing showed only the parcel on the east side of Route 220.

Walmart Supercenter #2208-01 Land Development #09-04

Motion for Preliminary Plan review of the Land Development Plan by Martha Brennan, second by Jean Stromick, and motion unanimously carried. A checklist was completed and the following deficiencies were noted:

- 1) Need approval letter from PaDEP.
- 2) Page 2: Need to re-label the two (2) 70D site detail notes.
- 3) Page 2-5: The new pylon monument sign needs to be set back the required 20ft off of the ROW.
- 4) Need signature of surveyor on the Plan.
- 5) Need signature of the property owner on the Plan.
- 6) Page C-5: Need to correct the plant counts with what's on the drawing.

COMMENT: Will need to ask for a Waiver allowing Walmart not to show Parcel 2 property on the Plan.

Motion to recommend Preliminary Plan approval to the Supervisors at their meeting to be held on December 28, 2011 contingent upon resolution of the deficiencies by Clif Cheeks, second by Martha Brennan, and motion unanimously carried.

Walmart Supercenter #2208-01 - Conditional Use Review

The Athens Township Supervisors requested a Conditional Use application review by the Planning Commission by letter dated November 29, 2011 for a Conditional Use Hearing to have three (or more) commercial retail establishments within the building comprising the store.

Following discussion of the conditional use, the Planning Commission supports Walmart's pursuit of a conditional use to have multiple businesses within the proposed store. The applicant showed the layout of the businesses and that there was parking to support each business including employee and patron parking, with the exception of the food court. The applicant showed parking for six patrons when the Ordinance requires nine. The Planning Commission felt that the food court is not a "destination" business but rather an incidental use business,

meaning that patrons typically don't drive to the food court to get something to eat. Therefore, they could be considered part of the Walmart customer parking that has been satisfied. The six patron parking spots are adequate to support any potential destination patrons.

Other

The dates for the Planning Commission meetings for 2012 were set as follows: January 9, February 6, March 5, April 2, May 7, June 4, July 2, August 6, September 10, October 1, November 5, and December 3, 2012.

Motion by Martha Brennan to accept the Minutes of November 7, 2011 meeting as read, second by Marion Carling, and motion unanimously carried.

Correspondence was reviewed.

The meeting was adjourned at 11:13PM, as there was no further business to discuss.

Regular Supervisors mtg. - Dec. 28, 2011 - 7:00PM
Regular Planning Comm'n mtg. - Jan. 9, 2012 - 7:00PM

Respectfully submitted,

Elaine Daddona, Secretary